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ABSTRACT

This report contains findings of a comprehensive survey and an analysis of policies and procedures of US universities, colleges, technological institutes and professional schools regarding administration and conduct of scientific and technological research, including sponsored research and the handling of patentable discoveries and inventions resulting from such research. In addition to the general objectives of conducting the survey and analyzing the data, the project was designed to provide the factual basis for an understanding of the prevailing situation in higher education as well as within individual institutions, and an understanding of the impact of sponsored research on the educational program of institutions. The report was developed to meet the needs of all government agencies, foundations, and industrial companies interested in supporting academic research. Information on 949 institutions was collated and analyzed. The findings are presented along with individual statements describing procedures practiced at 349 institutions. Each of the 349 has formulated and adopted a formalized research and patent policy or observes a generally accepted practice of handling research and patent matters. Visits were made to and discussions held at 40 institutions actively engaged in federally sponsored research. (JS)

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University Research and Patent Policies, Practices and Procedures

by Archie M. Palmer

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COMMITTEE ON PATENT POLICY
of the
NATIONAL ACADEMY OF SCIENCES—NATIONAL RESEARCH COUNCIL

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FOREWORD

This report contains the findings of a comprehensive survey and interpretive analysis of the current policies, practices and procedures of universities, colleges, institutes of technology and independent professional schools in the United States with respect to the administration and conduct of scientific and technological research, including particularly sponsored research, and the handling of patentable discoveries and inventions resulting from such research.

The survey and analysis were made by the Office of Patent Policy Survey of the National Academy of Sciences–National Research Council and the report was prepared by the director of that office. The project was financed jointly by the National Institutes of Health under Research Grants RG-7832 and RG-7832 (C) and by the Office of Naval Research and the Departments of the Army and the Air Force under Contract Nonr-2300(22).

A previous report entitled *University Patent Policies–A Factual Survey,* based upon a similar survey and analysis of the situation prevailing ten years ago, had been prepared for and submitted in September 1952 to the National Institutes of Health under Research Grants RG-2840 and RG-2840 (C) and the Office of Naval Research and the Department of the Air Force under Contract N7-onr-29137.

That report was subsequently expanded and published in November 1952 by the National Academy of Sciences–National Research Council in a monograph entitled *University Patent Policies and Practices.* The present survey and analysis were made in an effort to bring up to date the information gathered and published at that time and to prepare a factual report on the current situation interpreted in the light of the many significant changes which have occurred during the past decade.

The objectives of the present project were: (1) to make a comprehensive factual survey of the current research and patent policies and practices of institutions of higher learning in the United States, with particular reference to their procedures, administrative machinery and experience in the handling of research, both sponsored and unsponsored, and of new discoveries, inventions and patents thereon resulting from such research, (2) to critically analyze and summarize the data obtained and the observations made during the course of the survey and (3) to prepare an interpretive report on the findings.

In order to obtain from the project the maximum benefit to the supporting agencies and to provide them information which would be most helpful in their administration of Government research, grant and contract programs, the project was conducted in collaboration with and under the advisory supervision of a planning committee composed of representatives of the four supporting agencies and the director of the survey. The committee developed a series of questions on which information should be sought and the general plan of the survey was organized with a view to obtaining answers to those questions.

The survey was also designed to provide the factual basis for an analysis of the general situation currently prevailing in the higher educational field, an interpretive understanding of the situation at individual institutions and the impact of sponsored research, and particularly Government-sponsored research, on the educational programs of the institutions, as well as information which would be useful to Government agencies and other research sponsors in negotiating research contracts and grants with these institutions.

From among the more than 2,000 educational institutions listed in the Higher Educational Directory published by the U. S. Office of Education, 1,212 universities, colleges, institutes of technology, independent medical and other professional schools and teachers colleges were selected for initial inclusion in the survey. Independent law schools, theological seminaries, junior colleges, other specialized institutions and certain smaller colleges, which were not likely to engage in scientific or technological research, were excluded.

On the basis of the information obtained through correspondence with these 1,212 institutions, a final selection was made of 945 institutions for inclusion in the survey report. Further specific information obtained on the research and patent policies, practices and procedures of each of these 945 institutions was then analyzed and collated.

The findings are presented in this report, with individual descriptive statements on the situation at 349 institutions. Each of these 349 institutions either has formulated and adopted a formalized research and patent policy or observes a generally accepted practice with respect to the handling of research and patent matters. The other 596 institutions, which conduct little or no scientific or technological research and which have no formalized research or patent policies, are grouped together by states in a separate list.

At the suggestion of the planning committee the director of the survey visited a selected group of educational institutions actively engaged in sponsored research, to supplement and clarify the information obtained through correspondence and also to make personal observations and discuss their practices and experiences. Forty such institutions were selected and previously arranged visits were made to these institutions, as well as a number of separately incorporated nonprofit research organizations, which regularly conduct a significant volume of scientific and technological research, and particularly Government-sponsored research.

During these visits the director met with responsible officials of the institutions, research and patent committees, individual research scientists and patent management agents. He discussed with them various aspects of their experience with sponsored research and with patent management, and in particular the impact of contract research and of Government patent policies on the basic research purposes, programs and potentials of the institutions, as well as their procedures for disclosing and evaluating inventions, for reporting inventions to the Government and other research sponsors and for determining who was entitled to the patent rights and to what extent.

This report has been prepared, in format and content, in accordance with a general plan developed in collaboration with the planning committee to meet the needs not only of the sponsoring agencies but of all Government agencies, and also foundations and industry, when considering and negotiating the support or sponsorship of research projects at educational institutions. It is also intended to provide a suggestive background for university officials, research scientists and others concerned with policies, practices and procedures for the conduct of scientific and technological research and the handling of patentable discoveries and inventions growing out of such research on the university campus.

The report itself is divided into nine sections or chapters dealing with (1) the general situation, (2) the 147 currently existing formalized research and patent policies, (3) prescribed procedures for the administration and conduct of research, (4) the impact of sponsored research on the academic, administrative and personnel programs of higher educational institutions, (5) considerations in the formulation of a research and patent policy, (6) special research organizations existing at or affiliated with specific institutions, (7) patent management arrangements and procedures, (8) individual descriptive statements concerning the situation at each of the 349 institutions having formalized research and patent policies or observing generally accepted practices and (9) a list, by states, of the 596 institutions which do not have formalized policies and which conduct little or no scientific or technological research. Also, for convenience of reference, an alphabetical index of the institutions covered in this report is included.

The conduct of the survey and the preparation of the report have been greatly facilitated by the fine cooperation of the university and college officials, scientists and others who liberally contributed information and comments concerning existing policies and practices, procedures for implementing them, the effectiveness of those procedures, research and patent management experience, the impact of sponsored research and the interpretive analyses of specific situations. The director of the survey is particularly indebted to the members of the planning committee for their assistance and guidance. He is also grateful for the valuable help cheerfully given, even under pressure, by the members of his staff, especially Charlotte Dankworth, Korbin Liu, Mary McGrady and, during the early phases of the survey, Anna Van Stan.

ARCHIE M. PALMER
Director of Survey

August 1962

CONTENTS

Foreword iii

Introduction 1

The General Situation 7

Formalized Policies 12

Research Procedures 17

Impact of Sponsored Research 21

Formulation of a Policy 25

Special Research Organizations 30

Patent Management Practices 38

Institutional Policies and Practices 47

No Policy and Little or No Research 275

Alphabetical Index of Institutions 283

INTRODUCTION

The unprecedented increase in the volume of scientific and technological research at institutions of higher education in the United States during recent years, and particularly since the beginning of World War II, has been a source of deep satisfaction and also of serious concern to the administrators and faculties of those institutions. The increase has been greatly stimulated by the financial support of such research provided by the Government and industry, as well as foundations and other external sponsors. Inevitably this rapidly expanding activity has at the same time raised many problems which have affected the policies and practices of the institutions and even their basic functions. These problems have usually arisen with respect to the appropriate disposition of the results of the research, especially patentable discoveries and inventions, and the development of effective procedures for the administration and conduct of the research within the framework of the institutions.

As a service to American higher education and to the scientific fraternity, the National Academy of Sciences–National Research Council established the Office of Patent Policy Survey in 1946 under its standing Committee on Patent Policy and initiated a program for the compilation and dissemination of information concerning the policies, practices and procedures of higher educational institutions in the handling of patentable results of scientific and technological research. The project was originally conceived as a factual survey of significant prevailing practices and the publication of the findings. A similar, although much less comprehensive, survey made fifteen years earlier had served a very useful purpose in presenting an analysis of the situation as it existed at that time.

Undertaken in recognition of the need for information on university research and patent policies, their implications and interrelationships, the project was particularly opportune as educational institutions were making an effort to adjust to postwar conditions. The subsequent expansion of research on the university campus, and especially cooperative and sponsored research supported, under contract or grant, by government agencies and industry, had raised many perplexing problems.

To assist university administrators and others concerned with those problems, the original plan of the project has been expanded and made more comprehensive. Monographs on the subject have been published, advisory and consultative services have been rendered, regional conferences have been held, articles have been written for scientific and professional journals, talks have been given before educational, scientific and professional organizations and collateral studies of other types of nonprofit research and patent management have been made.

Previous Studies and Publications

A preliminary report on the findings of a comprehensive survey of the then current situation among higher educational institutions in the United States and Canada was published in May 1948 under the title of *Survey of University Patent Policies.* This factual report contained an analysis of significant practices prevailing at the time and presented verbatim statements of 37 formalized university patent policies which had been formulated and adopted.

In furtherance of the program of disseminating information on university research and patent problems five regional conferences were held in Berkeley, Denver, Chicago, New York and Atlanta during April and May 1949. These conferences, which were attended by representatives of both American and Canadian institutions, were designed to provide an opportunity for scientists and administrators to share experiences, to discuss the motivation behind research and patent policies and to attempt to clarify the principles and considerations involved in the formulation of such policies. In November 1949 a summary report on the five conferences was published under the title *University Research and Patent Problems.*

An interpretive analysis of the policies and practices of 70 approved university-affiliated and independent medical schools in handling patentable discoveries in the medical and public health fields was published in the *Journal of the American Medical Association* in June 1948 and was subsequently made available as a reprint. In March 1955 the findings of a more comprehensive survey of current policies, practices, procedures and experiences of approved medical schools and of accredited colleges of pharmacy, both in the United States and Canada, were published in a monograph under the title *Administration of Medical and Pharmaceutical Patents.*

Similarly an article on "Industry-Supported University Research" was published in *Chemical and Engineering News* in July 1948 and was made available as a reprint. This article reported the findings of a review and analysis of problems involved in the performance of industry-sponsored research on the university campus and in the disposition and control of the results of such research.

Two special analytical studies were made of university patent policies, one for the National Institutes of Health and the other for the National Institutes of Health, the Office of Naval Research and the Department of the Air Force jointly. Reports on these special studies were submitted to the Government agencies concerned in July 1951 and September 1952, respectively.

A subsequent expansion of the latter of these two special reports, to include the policies and practices of all types of higher educational institutions in the United States and Canada, was published in November 1952 by the National Academy of Sciences—National Research Council in a monograph entitled *University Patent Policies and Practices.* That monograph not only brought up to date but also amplified the earlier *Survey of University Patent Policies,* published in 1948. In it the situation then prevailing at 227 institutions was presented, including verbatim transcripts of 70 formalized policies.

In less than three years following its publication, and to some degree as a result of the survey on which it was based, so many new research and patent policies had been adopted and existing policies revised and so many changes in institutional practices had occurred, especially with respect to contract research and patent management, that it was necessary to review the situation again and to publish a supplement to *University Patent Policies and Practices.* This supplement, published in January 1955, brought up to date and expanded the material included in the earlier monograph and also contained a much-needed chapter on considerations in the formulation of research and patent policies.

In order to keep abreast of the rapidly changing situation and to meet the growing demand for objective advice and current information on the subject, the Office of Patent Policy Survey of the National Academy of Sciences–National Research Council has continuously maintained correspondence with the higher educational institutions. The present survey is the latest comprehensive effort of the Office to review current practices and this report represents the situation as of July 1962.

Collateral studies have also been made of the organization, objectives, operation, programs, policies and experiences of more than 100 nonprofit research and patent management organizations affiliated with higher educational institutions and operating independently. A series of four volumes on nonprofit research and patent management has been prepared; two of them have been published thus far: *Nonprofit Research and Patent Management in the United States* and *Nonprofit Research and Patent Management Organization.* The other two, *Nonprofit Research Institutes* and *Nonprofit Patent Management,* are now in production.

These four publications are the outgrowth of the advisory and consultative services provided by the Office of Patent Policy Survey and its director to these organizations, as well as to universities, the Government, foundations and industry, in this important field. All of the publications emanating from the Office are made available for the information and guidance of university and college administrators, research scientists, government officials, foundations, patent attorneys and others concerned with the conduct, administration and support of nonprofit scientific and technological research and the handling of patentable discoveries and inventions emanating from such research.

Survey Procedure

For inclusion in the present survey a selection was made from the more than 2,000 universities, colleges, institutes of technology, independent professional schools and teachers colleges in the United States which might conceivably engage in scientific and technological research and accept or consider research projects sponsored and supported, under grant or contract, by the Government, foundations, industry or other external sources. Through an examination of their catalogs and other pertinent literature and on the basis of an analysis of their academic programs and available physical facilities and personnel, a preliminary selection was made of the institutions to be included in the survey. Independent law schools, theological seminaries, junior colleges, other specialized institutions and certain smaller colleges, which were not likely to engage in scientific or technological research, were excluded.

The 1,212 institutions so selected were circularized by mail, with appropriate follow-up letters where necessary, and requested to furnish information concerning their current research and patent management practices. They were requested, in particular, to include information on (1) procedures for handling research grants and contracts, (2) arrangements and agreements made with faculty members and research workers, (3) procedures for disclosing and reporting new discoveries and inventions, (4) patent management practices and (5) experiences with patentable discoveries and inventions. The institutions were also requested to submit copies of standard or typical grant, contract and employee agreement forms.

After an analysis of the responses received and a further study of the college catalogs and other literature on the subject, 945 institutions were finally selected for inclusion in the survey report. The names of these institutions will be found in the alphabetical index at the end of this report. Additional specific information was then sought on their current policies, practices and procedures.

Through this further exchange of correspondence it was found that 349 of these institutions had either formulated and adopted formalized research and patent policies or observed generally accepted practices with respect to the handling of research and patent matters. Individual descriptive statements concerning the current situation at each of these institutions, arranged by states, are presented in the chapter on "Institutional Policies and Practices." Each of these statements as published has been approved by a responsible official of the institution, after being confirmed as to its currency and factual accuracy or after a previously prepared statement had been revised in the light of more recent developments.

Copies of formalized institutional research and patent policies, of special policies limited in application to sponsored research or to particular fields of science or research and of prescribed procedures for the administration and conduct of research and descriptions of generally accepted practices were obtained from these 349 institutions, This material has been placed in the files of the Office of Patent Policy Survey, where it is available for examination and reference.

The other 596 institutions, which do not presently have formalized policies and which conduct little or no scientific or technological research, are listed by states in the chapter headed "No Policy and Little or No Research." A considerable number of these institutions have given and many are currently giving consideration to the problem, largely as a result of an incipient interest in sponsored research and a growing recognition of the need for some form of institutional policy or practice.

To supplement and clarify the information obtained through correspondence, visits were made by the author to a selected group of 40 institutions, as well as a number of separately incorporated nonprofit research organizations, which regularly conduct a significant volume of scientific and technological research, and particularly Government-sponsored research. During these visits the author met with responsible officials of the institutions, research and patent committees, individual research scientists and patent management agents. He discussed with them various aspects of their experience with sponsored research and with patent management, and in particular, the impact of contract research and of Government patent policies on the basic research purposes, programs and potentials of the institutions, as well as their procedures for disclosing and evaluating inventions, for reporting inventions to the Government and other research sponsors and for determining who was entitled to the patent rights and to what extent.

Additional information was sought on special research and patent situations and experiences which might have some bearing on institutional programs, policies and practices. Correspondence was also exchanged with schools of medicine, pharmacy and dentistry, agricultural and engineering experiment stations, special research institutes and patent management organizations existing at or closely affiliated with the institutions included in the survey.

Analysis and Interpretation of Data

In the interpretation of the data obtained through the present survey, the vast fund of information and literature on university research and patent policies, practices and procedures accumulated by the director over the past forty years and by the Office of Patent Policy Survey of the National Academy of Sciences—National Research Council through earlier and collateral studies was utilized and correlated with the newly acquired data.

All the data concerning the 945 institutions included in the survey, which were obtained through correspondence and visits and were available from other sources, were carefully analyzed and interpreted in the light of a schema approved by the planning committee. A descriptive statement of the situation at each of the 349 institutions included in the chapter on "Institutional Policies and Practices," as well as at many of the other institutions included in the survey, was prepared and submitted in July 1962 for approval and confirmation of its factual accuracy as an appropriate representation of the current situation at the institution. These statements, as confirmed by a responsible official of the institution, or revised in the light of more recent developments, served as the basis for the general analysis of the current situation presented in the chapter headed "The General Situation."

The individual statements of the specific situation at each of these 349 institutions contain the following information: (1) verbatim transcripts of the formalized research and patent policies, where such policies exist, or brief descriptions of the generally accepted practices, (2) the date of adoption of each formalized policy and by whom it was adopted, (3) the procedures for handling sponsored research, (4) the applicability or limitation of the formalized policies, where they have been adopted, (5) the patent management agencies utilized and (6) whether the equities of inventors in their inventions are recognized and the extent to which an inventor shares in the income derived from the sale or exploitation of patents obtained on his invention.

As used in this report, the term "formalized research and patent policy" refers to an established definitive course of action, formulated and expressed in a systematic statement, which has been adopted by the board of control, state legislature or other appropriate governing body of the institution. The term "general practice" is used when a more or less definitive practice is generally accepted as applicable to the handling of research at the institution and the patentable results of such research, but has not been formally adopted in the manner indicated above.

A list has been compiled of the 147 institutions which have formalized research and patent policies, verbatim transcripts of which are contained in the individual institutional statements in the chapter on "Institutional Policies and Practices," and is included in the chapter on "Formalized Policies."

A list of the special research departments, divisions, laboratories, institutes and foundations established as integral units of, or separately incorporated but closely associated with, a number of the educational institutions which handle in behalf of the institutions the administration and/or conduct of sponsored research performed under contract or grant has also been compiled and is presented in the chapter on "Special Research Organizations."

Similarly, a list of the separately incorporated nonprofit foundations, corporations and institutes which handle patentable discoveries and inventions in behalf of the institutions with which they are affiliated has been compiled and is presented in the chapter on "Patent Management Practices." Lists of the institutions which utilize the facilities of the two independent nonprofit organizations, Research Corporation and the Battelle Development Corporation, under patent or invention development agreements are also included in that chapter.

THE GENERAL SITUATION

Research, whether conducted in the library, the laboratory or the shop, is an essential and integral element of an effective educational program. This is particularly true in higher educational institutions concerned with scientific and technological education. Faculty members of such institutions find it necessary and desirable to engage in some form of research, in order to keep abreast of the rapid and constantly changing advances in science and technology, as well as to satisfy their intellectual curiosity and improve their professional status. Similarly, graduate students are stimulated in their academic work and in their preparation for their future careers by participating in meaningful research projects and by developing a spirit of inquiry and a familiarity with research techniques.

Although a certain amount of research is and always has been performed on the university campus, the volume of scientific and technological research has been vastly expanded through sponsored research projects financially supported by research grants and contracts from the Government, foundations, industry and individuals. As a result, the number of higher educational institutions offering research services and seeking support of such services from external sources, especially the Government and industry, has been steadily growing. Earlier studies made by the Office of Patent Policy Survey of the National Academy of Sciences —National Research Council have shown an ever-increasing interest, especially since the beginning of World War II, on the part of institutions of higher learning to make both their personnel and their facilities available and to seek support from Government agencies and industrial firms, as well as nonprofit foundations.

Current Practices

In a steadily growing number of institutions full-time research workers have been added to the staff, specialized research divisions have been organized and special research institutes have been established, both as separately incorporated nonprofit organizations closely associated with the institutions and as integral units or parts of the institutions themselves, to handle sponsored research. These developments have created certain administrative, personnel and legal problems in the administration and conduct of the research and in the handling of the patentable results of such research. The solution of these problems has not been easy or simple, either for the institutions or for the sponsors.

To meet the situation, widely diversified practices, both in the administration of the scientific and technological research, unsponsored as well as sponsored, and in the handling of patentable discoveries and inventions growing out of such research have developed in higher educational institutions, and even at the same institution. Existing practices vary from strictly drawn patent policies to laissez-faire attitudes, and even to an unwillingness to become concerned with patents. A number of institutions have given little or no serious official consideration to the patent problem, despite the steadily expanding volume of scientific and technological research on the university campus during recent years.

Some institutions observe a hands-off attitude, leaving to the individual inventor full responsibility for determining what disposition is to be made of the products of his research efforts, as well as for arranging and conducting the research from which they originated. Others take the position that the institution has an interest in all research activity on the campus, both sponsored and unsponsored, and have established formalized research and patent policies or follow generally accepted practices for conducting the research and for handling any patentable discoveries or inventions that may result. Still others make a definite practice of not having a research or patent policy. More frequently the failure on the part of an institution to establish such a policy is the result of limited experience or no experience at all with research and patent problems.

Background and Trend

Nevertheless, there is evidence of a definite trend on the part of higher educational institutions to formulate and adopt formalized research and patent policies or to develop and observe practices which, while not established by formal trustee or other official action, are generally accepted as applicable to research throughout an institution. Some institutions have adopted special policies or general practices for dealing with results of scientific investigation that affect public or private health. Others have developed policies and practices only with respect to sponsored research, applicable on an institution-wide basis to all faculty and staff members, and in most instances also students, participating in such research or limited to sponsored research conducted in special research units.

In one of the earliest publications on the subject, "University Patent Policies," prepared by the author and published in the *Journal of the Patent Office Society* in February 1934, in which the practices and patent experiences of 21 institutions in this country and one in Canada were described, it was revealed that at that time only two institutions had what might be called a formalized research and patent policy. This article was reprinted in booklet form and widely distributed by Research Corporation.

A monograph entitled *Survey of University Patent Policies,* published by the National Academy of Sciences–National Research Council in May 1948, contained the findings of a later and more comprehensive study of the subject made by the author and an analysis of the then prevailing practices. In this monograph were included verbatim transcripts of 37 formalized policies.

In November 1952 the Academy–Research Council published a monograph, entitled *University Patent Policies and Practices,* based upon a comprehensive survey of the policies and practices of all types of higher educational institutions in the United States made for the National Institutes of Health, the Office of Naval Research and the Department of the Air Force. It contained detailed information on the practices of 227 institutions and included 70 verbatim transcripts of formalized policies. A supplement to that volume, published in January 1955, which brought up to date and expanded the material in *University Patent Policies and Practices,* contained 22 new institutional statements, of which 19 were revisions of previous statements, and included 12 additional formalized policies.

Indicative of the fluidity of the situation and of rapidly changing conditions, there are at present in existence 147 formalized research and patent policies, verbatim transcripts of which are included in the individual institutional statements presented in the chapter on "Institutional Policies and Practices." In addition to the new policies adopted since the 1952 report, many of the earlier policies have been revised, as have the generally accepted practices, to meet changing situations and attitudes in the institutions concerned, particularly with respect to sponsored research and the disposition of patent rights in new discoveries and inventions emanating from such research.

Present Policies and Practices

Nearly all of the formalized research and patent policies and many of the generally accepted practices cover all types of research on the campus. Most of the others are concerned mainly with problems growing out of sponsored research projects supported by outside sources on a grant or contract basis. Certain institutions are unwilling, and a few even refuse, to undertake research projects which might entail patentable developments. Others are willing to conduct such projects only when they retain complete control over both the patent rights and the publication of the findings of the investigation. Still others will enter into contracts under which the sponsor receives, usually for a consideration, full possession of the research findings, including title to all patentable discoveries and inventions which may result.

There is no uniformity in the terms or conditions under which sponsored research is accepted and conducted, or in the determination of the charges made for such research. Some institutions have established specific policies for handling all such research; others make the best possible arrangements in each case. Some will accept only those sponsored research projects which are definitely related to their educational programs and can be performed by faculty members and students as part of their regular academic activities. Others have set up special facilities for handling sponsored research and employ personnel who devote full time to such research.

A number of institutions have established special offices or divisions to relieve faculty and regular administrative personnel from contractual relations with research sponsors. Further information concerning these special offices and divisions, as well as the affiliated but separately incorporated research institutes, will be found in the chapter on "Special Research Organizations." A number of specialized nonprofit research facilities, some separately incorporated and operated autonomously but in close affiliation with educational institutions and others maintained as unincorporated units of the institutions, are also included in this chapter.

At many institutions each situation is considered and decided on an individual basis in accordance with a formalized policy or, in the absence of such a policy, by mutual agreement among the parties concerned. A few still feel that they discharge their responsibility by merely publishing the results of the investigations or by obtaining patents and then dedicating them to the public. Others accept full responsibility for obtaining patents and administering the patent rights in the public interest. Many exercise control over the patents by issuing licenses and also accept royalty payments, either directly or through arrangements with separately incorporated nonprofit organizations designated to develop and manage their patents.

Of the 945 higher educational institutions upon whose practices this discussion is based, 349 either have formalized research and patent policies or observe generally accepted practices with respect to scientific and technological research conducted by their faculty or staff members and the handling of patentable products of such research. They also offer research services to government agencies and industry in accordance with institutional policies or practices and available personnel and facilities.

A number of the other 596 institutions will accept research grants and contracts for sponsored research under similar conditions. Most of these institutions do not have formalized research or patent policies or observe generally accepted practices, nor do they ordinarily offer research services or even perform much, if any, scientific or technological research. Occasionally individual faculty members provide research services for local sponsors, usually in a consulting capacity, under arrangements made personally and, especially when the use of institutional facilities may be required, with administrative approval.

Patent Rights

Most institutions recognize the rights and interests of the inventor in his invention and share with him any proceeds received from the sale or exploitation of patents obtained on the invention, either under a prior contractual arrangement or by mutual agreement. However, there is no uniformity in the division of the financial return from patents between the inventor and the institution. Even in those instances where the proportion given the inventor is specified in accordance with a general policy, there is a wide variation among institutions in the amounts allotted to the inventor. In other institutions the inventor's share is determined in each case after consideration by a special faculty or administrative committee.

All too frequently these determinations are made on an ad hoc basis after the invention has been disclosed. A few institutions include patent provisions in their contracts of employment, in some instances for all faculty members but more often limited to members of the staff whose entire or major responsibility is research, especially contractual research conducted on behalf of government agencies or industry.

At most higher educational institutions the compulsory assignment of patent rights is not considered desirable, except when it is necessary in connection with cooperative or sponsored research and is required, even when not specified in the research contract, in order that the institution may fulfill its contractual obligations. However, voluntary assignment is preferred and, in many institutions, is encouraged and facilitated either through prescribed procedures or through special machinery provided within the institutions for handling patent matters.

Where special provisions with respect to those products of scientific and technological research which affect public or individual health are included in an institutional policy, neither the institution nor the inventor ordinarily benefits financially from the exploitation of a new discovery, process, development or invention of a medical, pharmaceutical, therapeutic or hygienic nature. Patent rights are considered less important than making the research results generally and promptly available either through publication or, when patenting is deemed desirable or essential in the public interest, through placing the patent in the public domain by dedication or through licensing control.

Patent Management

In many instances the services of a separately incorporated nonprofit outside organization, either closely related to the institution or under a patent development agreement to act as its patent management agency, are utilized for that purpose. A list of these separately incorporated organizations and the institutions they serve as patent management agencies will be found in the chapter on "Patent Management Practices."

More than 100 universities and colleges have entered into patent development agreements with Research Corporation, whereby that independent nonprofit foundation acts as their patent management agency and handles patentable discoveries and inventions in their behalf, as well as in the interest of inventors among their faculty and staff who voluntarily assign their inventions to the Corporation. Several of these institutions have also recently entered into invention development agreements with the Battelle Development Corporation, another nonprofit patent management organization.

FORMALIZED POLICIES

Included in the 349 individual institutional statements presented in the chapter on "Institutional Policies and Practices" are verbatim transcripts of 147 formalized research and patent policies as established by boards of control, state legislatures or other appropriate governing authorities. As indicated in the individual institutional statements, most of these policies are applicable on an institution-wide basis and usually cover all phases of research performed in the various departments and divisions of the institution.

For each such policy the date of its original adoption is given, as well as subsequent revisions, and also the authority by which it was established. Where the policy statements are available in printed or other definitive form, copies have been obtained and are on file in the Office of Patent Policy Survey at the National Academy of Sciences–National Research Council, where they are available for examination and reference. In those instances where the policy statements are available only in mimeographed or typed form such copies have also been obtained and these are likewise on file in the Office of Patent Policy Survey.

Verbatim Transcripts of Policies

The verbatim transcripts of these formalized policies are given under the individual statements for the following institutions:

Albert Einstein College of Medicine
Arizona State College
Arizona State University
Auburn University
Brooklyn College
Bucknell University
California Institute of Technology
Carnegie Institute of Technology
Case Institute of Technology
Central State College (Ohio)
Chapman College
The City College (New York)
Clarkson College of Technology
Clemson College
Colorado School of Mines
Colorado State University
Columbia University
Cornell University
Drexel Institute of Technology
Eastern Montana College of Education
Eastern Oregon College
East Tennessee State College
Fairfield University
Findlay College
Fisk University
Florida State University
Fordham University
Georgetown University
Hunter College
Institute of Paper Chemistry
Iowa State University
Jefferson Medical College
The Johns Hopkins University
Kansas State University
Kent State University
Lehigh University
Loma Linda University
Louisiana State University
Lowell Technological Institute
Loyola University (Illinois)
Loyola University of Los Angeles
Manhattan College

Massachusetts Institute of Technology
Medical College of Virginia
Michigan College of Mining and Technology
Mississippi State College for Women
Mississippi State University
Montana School of Mines
Montana State College
Montana State University
Newark College of Engineering
New Mexico Institute of Mining and Technology
New Mexico State University
New York University
Niagara University
Northeastern University
Northern Montana College
Northwestern University
Norwich University
Ohio State University
Oklahoma State University
Oregon College of Education
Oregon State University
Pennsylvania State University
Polytechnic Institute of Brooklyn
Portland State College
Pratt Institute
Princeton University
Purdue University
Queens College (New York)
Rensselaer Polytechnic Institute
Rutgers, The State University
St. John's University (New York)
St. Louis University
St. Olaf College
South Dakota School of Mines and Technology
South Dakota State College
Southern Illinois University
Southern Oregon College
Stanford University
State University of Iowa
State University of New York
Stevens Institute of Technology
Syracuse University
Texas Agricultural and Mechanical College System
Texas College of Arts and Industries
Tufts University
University of Akron
University of Alabama
University of Arizona
University of Arkansas
University of California
University of Chicago
University of Cincinnati
University of Colorado
University of Connecticut
University of Delaware
University of Detroit
University of Florida
University of Georgia
University of Hawaii
University of Idaho
University of Illinois
University of Kansas
University of Kansas City
University of Kentucky
University of Louisville
University of Maine
University of Maryland
University of Miami
University of Michigan
University of Minnesota
University of Mississippi
University of Missouri
University of Nebraska
University of New Hampshire
University of New Mexico
University of North Carolina
University of North Dakota
University of Notre Dame
University of Oregon
University of Pennsylvania
University of Pittsburgh
University of Portland
University of Puerto Rico
University of Rhode Island
University of Southern California
University of South Florida
University of Texas
University of Tulsa
University of Utah
University of Vermont
University of Virginia
University of Washington
University of Wyoming
Utah State University
Vanderbilt University
Virginia Polytechnic Institute
Washington State University
Western Illinois University
Western Reserve University
West Virginia University
Wittenberg University
Worcester Polytechnic Institute
Xavier University (Ohio)
Yale University
Yeshiva University

Where a uniform policy which is applicable on either a mandatory or an optional basis to all the institutions in a state or city system, as in Arizona, Florida, Mississippi, Montana, Ohio, Oregon and New York City, the policy is presented in only one of the individual institutional statements with a cross-reference in each of the others.

Certain of these 147 formalized policies are currently under review to meet changing conditions in the institutions concerned, stemming largely from sponsored research problems, but as of July 1962 the published statements represent the present situation. A considerable number of additional policies are currently in process of preparation; in fact, some of them have been under consideration for years. Recognition of the need for formalized research and patent policies at those institutions where the formulation of such policies is currently under study is the result both of research and patent problems which have arisen and of a recently accelerated interest in sponsored research activities.

Special Features of Policies

As indicated in the policy statements, several institutions have formally adopted special provisions, or deviations from their overall research and patent policies, with respect to new discoveries and inventions which may affect public or individual health. Such policies are applicable on a university-wide basis and deal with the subject matter of the research rather than the site of its performance. In addition, several others which do not have general formalized research and patent policies have formally adopted similar special provisions as a general practice for handling individual situations as they arise.

The policy statements vary in length and in delineation of the procedures to be followed, also in the extent to which they provide for the various possibilities that might arise. In practice the policies are all subject to and are given local interpretation, in conformance with general institutional policies, regulations and other pertinent considerations. The designated official, committee or special organization administratively responsible for the local interpretation and implementation of a formalized policy, as well as a generally accepted practice, is indicated in the individual institutional statement.

Some of the more recently adopted policies are patterned after those already in effect at other institutions, particularly the earlier policies of the University of Illinois, Lehigh University, the Massachusetts Institute of Technology and the Pennsylvania State University. Several institutions have embodied their policies in their employment agreements, following the example of Michigan College of Mining and Technology. Other recently adopted policies show evidence of recommendations and suggestions made by the author in an advisory or consultative capacity, as well as through his earlier publications, particularly the *Supplement to University Patent Policies and Practices,* published in 1955 by the National Academy of Sciences—National Research Council.

As indicated in the individual institutional statements, the formalized policies are all applicable on a university- or college-wide basis to both faculty and staff members and in some instances to all employees of the institution. Certain of the policies also include provisions with respect to patentable discoveries and inventions resulting from student research, especially when the discoveries and inventions are made by graduate students employed or receiving specific fellowship or other financial aid provided under government or industrial research contracts. On the other hand, inventions made by students holding academic scholarships or fellowships are generally considered to be the personal property of these student inventors, who accordingly retain the right to assign or otherwise dispose of their patent rights.

The policy of the University of North Carolina is applicable on a university-wide basis to members of the university staff and to graduate students and assistants at the University in Chapel Hill, at the North Carolina State College of Agriculture and Engineering in Raleigh and at the Woman's College in Greensboro. Likewise, the policy of State University of New York applies to the state-operated units of the University, which consist of eleven colleges of education, six agricultural colleges and technical institutes, two colleges of medicine, a college of forestry, Harpur College at Endicott, the Maritime College at Fort Schuyler and the Long Island Center at Oyster Bay. The policy of State University of New York does not, however, apply to its contract colleges located at Cornell University and Alfred University.

The policy adopted by the Board of Directors of the Texas Agricultural and Mechanical College System is applicable not only to the Agricultural and Mechanical College of Texas but also to Arlington State College, to Tarleton State College, to Prairie View Agricultural and Mechanical College and to the other units of the System. Similarly, the policy of the University of Texas is applicable on a university-wide basis not only to the units of the University located in Austin but also to the Medical Branch located in Galveston, to Southwestern Medical School located in Dallas and to Texas Western College located in El Paso.

Even though the medical school, college of pharmacy or other professional school affiliated with a university is located in another city, it is nevertheless subject to the provisions of the university-wide policy, unless otherwise specified in the policy, and particularly to special provisions with respect to new discoveries and inventions affecting public and individual health which are included in a number of the policy statements.

Establishment of Policies

Of the 147 institutions having formalized research and patent policies currently in effect, 73 have adopted policies during the past ten years, 41 of them since July 1957. The policy of Lehigh University, which was the first to be established, was adopted in its present form on 25 April 1924; at 24 other institutions formalized policies have been in existence more than twenty years, but at 14 of these the policies have been revised or amended since they were originally adopted or have been replaced by entirely new policies.

The frequent revisions which have been made in the original research and patent policies, especially during the past several years, indicate that these policies are under constant review and reconsideration. During the past ten years 21 previously adopted policies have been revised or amended; several of them have been completely rewritten and the others have been modified in part. In most instances the policy statements have been expanded in the revision, while in a few instances they have been abbreviated.

Most of the formalized policies have been established through trustee action, usually after extended prior study by special faculty or joint faculty-administration committees; whereupon they have then been adopted with administrative approval and recommendation. A few policies have been established merely by administrative action, while others have been enacted by state legislatures or are prescribed by state agencies for the institutions under their control or jurisdiction.

The research and patent policies of several of the state institutions have been established by legislative enactment and are part of the organic laws of their states, as in Connecticut, North Dakota and Ohio; the same is true with respect to the policy of the University of Puerto Rico. At Auburn University, formerly Alabama Polytechnic Institute, the research and patent policy adopted by the Auburn Research Foundation, a separately incorporated but affiliated research organization, applies as the policy of the University.

In some instances the policy statements have been incorporated in the official by-laws and regulations of the institutions concerned; in other instances they are to be found only in the minutes of meetings of the boards of control or governing bodies. Certain of the policy statements are included as part of general research and other faculty regulations and have been so published in special booklets or manuals.

The formalized research and patent policies of several institutions are included in agreements executed by their employees, particularly those engaged in research activities. The policies of Michigan College of Mining and Technology and of St. John's University are embodied in patent waiver agreements which every employee is required to sign when accepting a position at either institution.

At Case Institute of Technology all staff members and students working on research supported by the Case Research Fund or under contracts with government or industry are required to sign an inventions agreement which contains the Institute policy. The policy of the Lowell Technological Institute is embodied in an inventions agreement signed by all faculty members of the Institute who devote time to the research activities of the Lowell Technological Institute Research Foundation.

Although the policy of St. Olaf College is applicable on a college-wide basis, all members of the departments of physics and chemistry are also required to sign a separate agreement which includes the policy. The policy of Wittenberg University is a provision of the memorandum agreement between the University and the membership of the Wittenberg Research Institute, an unincorporated function of the University.

Several institutions, which have not formally adopted policies but which have entered into patent development agreements with Research Corporation, consider the provisions of those agreements in the nature of a broadly formulated policy and apply both the provisions and the philosophy of those agreements on an institution-wide basis.

RESEARCH PROCEDURES

As their research programs have expanded and as they have gained experience with the intricate administrative aspects and problems involved, especially in sponsored research, most educational institutions have developed prescribed procedures for the solicitation, acceptance, performance and reporting of their research activities, both sponsored and unsponsored. Usually, and at least initially in most instances, these procedures are delineated in memoranda issued from time to time by the administration of the institution for the information and guidance of its faculty members. Sometimes they are included in faculty manuals. Frequently, however, particularly at institutions which maintain extensive research programs, special booklets or bulletins dealing specifically with research policies and procedures have been prepared.

The format, content and extent of these memoranda and publications vary greatly from institution to institution, depending largely upon the volume and character of the research performed, the number of personnel involved and the amount and nature of the experience the institution has had with the complexity of sponsored research administration. Some of the more detailed expositions of research procedures are to be found at the larger universities where widely diversified and continuing research programs are in operation. These procedures have been fomulated to more effectively implement formalized research and patent policies and generally accepted practices in conformance with institutional objectives and overall institutional policies and, particularly in the case of state institutions, to fulfill their public responsibilities and comply with legislative requirements.

In general the procedures have been developed after long and careful consideration by administrative personnel and faculty members, and then usually subject to final approval by the presidents and the governing bodies of the institutions. These procedures are under constant review and, when modified or amplified, revisions are made periodically in the light of experience and changing conditions. The published statement of institutional research procedures also serves to clarify for sponsors the policies and procedures under which sponsored research is conducted at the institution.

Nature of the Procedures

Many of the prescribed procedures are concerned mainly with the administrative clearance of contemplated research projects, the review of fiscal matters and the fulfillment of contractual obligations. Where special committees or research organizations exist for the coordination of overall institutional research programs or only of sponsored research, the procedures include information on the role and function of these committees and/or organizations and their availability for assistance and other services in connection with the research programs.

However, some of the procedural statements definitively describe the various steps involved in the procurement of research funds, the preparation and processing of research proposals, the determination of budget estimates, the conduct of the research itself, the allocation of and accounting for expenditures, the submission of reports on the findings and the disclosure of new discoveries and inventions. Where institutionally budgeted research funds are available, information on their allocation and utilization are also included. In some instances known sources of potential extramural support are listed in the procedural booklets or separately, as well as discussions of the complications and possible embarrassments associated with sponsored research.

As most government agencies and many of the foundations have their own individual and usually divergent policies and procedures for the submission of research proposals, it is essential to be aware of and to observe their published instructions, also their areas of interest and closing dates for the acceptance of applications. In many instances standard application forms are supplied by the sponsor, but occasionally a letter describing in a general way the nature of the proposed research, stating in broad outline how it will be carried out and indicating what it is hoped to accomplish will suffice. Frequently informal correspondence may be conducted by the investigator in advance of the formal submission of the application. Support of industry sponsored research is ordinarily negotiated through memoranda or letters of agreement.

When the research proposal is formalized by the investigator, most institutions require that it be cleared through departmental and college channels for integration into the academic program, that it be examined by the business office for fiscal purposes and financial adequacy, that it be reviewed by the president or his designated representative for conformance with overall institutional policies and, where necessary, that it be approved by the governing body of the institution. As the research contract is not made with the individual investigator but with the institution and in its name, the proposal is then submitted to the prospective sponsor by the appropriate institutional contracting official. When the contract or grant is consummated, the institution is responsible to the sponsor for the fulfillment of its terms and conditions, including proper performance of the research, financial accounting and reporting of the findings, and may require the investigator to execute whatever documents or agreements are necessary to meet the institution's contractual obligations.

The performance of private consulting services for industry and of independent or personal research conducted on a faculty member's own time and at his own expense is encouraged at most institutions provided these activities do not interfere with the discharge of his regular teaching and other institutional responsibilities. Procedures are usually prescribed for the clearance and approval of these activities, as well as any reasonable use of the facilities and equipment of the institution which may be required.

Ordinarily educational institutions do not undertake research in competition with existing industrial or commercial organizations. In particular routine testing services, which are more properly the function of commercial laboratories, are not performed, except as required in connection with a particular research project or when such services are not conveniently available elsewhere and the institution is peculiarly qualified to render them.

Reporting Requirements

Progress reports to the sponsors should be kept at a minimum to avoid unprofitable expenditure and diversion of time and energy on the part of the investigators. Except in the case of a long-term continuing research project, only a final report on the findings is usually required. However, when the duration of a specific project extends over a period of years, annual or other periodic progress reports may be specified in the research contract. More frequent progress reports are, for the most part, meaningless and should be discouraged whenever possible. Adequate provision should be made in the estimated budget to cover the cost of the required reports in the number and form specified in the research contract.

Prompt written disclosure should be made by the investigator of any new discovery or invention conceived or first reduced to practice during the course of the research which reasonably appears patentable. Many of the institutions have developed their own standard disclosure forms for this purpose. A number, however, use the Office of Naval Research disclosure form, while others have patterned their own forms on it. The maintenance of adequate research records facilitates the preparation of the disclosure, particularly in describing the circumstances leading to the invention and in determining and proving the date of its conception and/or reduction to practice.

Most of the formalized research and patent policies and some of the generally accepted practices cited in the chapter on Institutional Policies and Practices contain provisions for the disclosure of patentable discoveries and inventions, as well as the procedure for evaluating and determining their patentability. Some institutions employ a resident patent counsel or retain the services of an outside patent attorney for this purpose. Others utilize the facilities and services of an independent non-profit organization such as Research Corporation and the Battelle Development Corporation, as discussed in the chapter on Patent Management Practices.

As the dissemination of new information is a primary responsibility of educational institutions, every effort is made to retain control of publication rights. Advance copies of any proposed publications relating to the subject matter of a sponsored research project are usually furnished the sponsors for examination. If, in the opinion of the institution or of the sponsor, any such publication contains a description or other revealing information concerning a patentable development, its submission for publication may be withheld for a reasonable period of time to permit the preparation and filing of patent applications.

Although a considerable volume of classified research is currently being performed at many educational institutions under contract with government agencies, caution is exercised in the acceptance of such research contracts. The restrictions imposed upon the publication and utilization of the research results are incompatible with the basic concept of an educational institution as a source and disseminator of new knowledge. Sponsored research contracts containing such restrictions are, therefore, ordinarily accepted only if the research is of national importance and also if it can be performed without undue curtailment of the fundamental instructional and unclassified research programs of the institution.

IMPACT OF SPONSORED RESEARCH

The tremendous volume of sponsored research currently performed in higher educational institutions in the United States has inevitably made a definite impact upon the programs of these institutions. In various ways, both good and bad, it has had a profound effect upon their traditional policies and practices. The acceptance of financial support of scientific and technological research from the Government, industry, foundations and other external sources has also raised certain problems, many of them unique to the source of the funds. The resolution of these problems has required institutional adjustments and, in many instances, has produced significant changes and shifts in the pattern and direction of educational programs, of operating procedures and even of institutional objectives.

Financial support of sponsored research is ordinarily provided in the form of grants-in-aid to individual faculty members for the pursuit of research of their own choosing, of fellowships to enable promising, as well as needy, graduate students to complete their education, of uncommitted or only broadly designated grants and gifts for the initiation of new or the expansion and continuance of existing research programs and, to an increasing extent, of grants and contracts for the performance of specifically designated research projects, in many instances defined in advance by the sponsors. Sought and accepted as a means of funding scientific and technological research, this financial assistance has in general been welcomed in a day of increased operating costs and of dwindling income from endowment and other usual sources.

Recognized Advantages

Without this additional financial assistance many institutions would find it extremely difficult to balance their academic budgets and to maintain and expand essential research and instructional activities. It enables them to retain and strengthen their faculties, especially in the scientific and technological fields, and to acquire expensive equipment and facilities not otherwise obtainable. It has made possible the development of graduate programs in a number of institutions and to attract research-minded personnel to the university campus, as well as better full-time teaching members of the faculty. It has also given many of the smaller institutions opportunities for faculty and student research which they could not otherwise afford and has enriched their academic offerings.

Participation in sponsored research broadens the perspective of members of the teaching staff and adds an atmosphere of reality to the instructional programs of the institutions. It stimulates the intellectual curiosity of faculty members, increases their scholarly productivity and enables them to keep abreast of the rapid advances in the sciences and in technology. Similarly, the participation of students in such research serves to improve and modernize their training and preparation, particularly on the graduate level, for later professional careers in industry, government and education. It gives them a familiarity and experience with current problems, with research techniques and facilities and with organized team research that make them more immediately qualified for and useful in industrial and government research and development.

Many institutions have found that the higher quality of training and the breadth of practical experience provided through sponsored research, as well as the employment opportunities thereby made available to those in need of financial aid, have tended to attract better than average graduate students. The use of student assistants, both graduate and undergraduate, on sponsored research projects has also released faculty members for more productive research and more effective teaching.

At the same time participation in sponsored research has given an ever-increasing number of faculty members administrative experience and a knowledge of the administrative problems connected with such research. This has created a better understanding of the role of the university administrator and has improved communication and cooperation between the central administration staff of the institution and the faculty in many areas. Interdisciplinary and team research, so often essential in sponsored research, has also served to break down departmental barriers and to eliminate personal and group rivalries.

Concomitant Hazards

Although the majority of institutions reported favorable effects of sponsored research in the furtherance of educational objectives, many qualified their responses with words of caution and expressions of the need for maintaining restraint and balance in the type of research conducted on the university campus. In particular, they emphasized the possibility of an undesirable overemphasis on applied and developmental, in contrast with basic, research and the dangers inherent in the diversion of faculty interest and time to more attractive sponsored research projects to the detriment and frequently the neglect of fundamental research and sound teaching, with a consequent distortion and imbalance in the overall educational programs of the institutions.

The formation of special research institutes, divisions, departments and other institutional units for the performance of sponsored research has, in many instances resulted in a questionable fragmentation of the research activities at many institutions. While the concentration of research, especially interdisciplinary research, in these special organizations has usually been found to be more economical operationally and has tended to facilitate and expedite the research, serious fiscal and morale problems nevertheless frequently arise. The higher salaries usually paid full-time investigators and the better working conditions and facilities they enjoy have often caused dissatisfaction among other less fortunate members of the university community. The current emphasis on scientific and technological research and the greater ease in obtaining funds for sponsored research in these fields has led to similar dissatisfaction among faculty members in the humanities and social sciences.

The acceptance and performance of classified research by educational institutions, except in times of national emergency, are questioned by many. The conditions under which, for reasons of national security, such research must be conducted are considered inconsistent with and damaging to the spirit of free inquiry so essential to the achievement of the primary function of higher educational institutions. Likewise, the restrictions upon the dissemination and utilization of the findings of such research imposed by the sponsoring government agencies are alien to the practices of educational institutions and often hamper the effective prosecution of the research itself.

When accepted as a public responsibility, these classified research projects are frequently isolated in off-campus laboratories. However, such arrangements pose additional fiscal and administrative problems, including the security clearance of the research workers engaged in the conduct of the classified projects and their segregation from the rest of the university community and from other investigators in related fields. The personnel performing the research in these isolated laboratories, therefore, contribute little or nothing to the educational programs of the institutions.

The nature and duration of many sponsored research projects, especially those supported by the Government, present an added hazard to the effective operation of the overall programs of educational institutions, especially when these projects involve the diversion of manpower for the performance of short-term or hardware type of research and development. The termination or cancellation of support for such research also poses fiscal and personnel problems inconsistent with the policies and continuing responsibilities of educational institutions, as does the dependence upon sponsored research support for the retention of faculty and staff members.

The exacting reporting and accounting demands, especially in connection with government-supported research and development contracts and grants, impose heavy and time-consuming burdens, both upon the investigators and upon the administrative staffs of the educational institutions. These burdens have been partially but not completely alleviated by recent modifications of these requirements by certain government agencies. Compliance with these demands has also added administrative expenses which are only partially covered by the allowable overhead or indirect costs provided in the research contracts and grants. Unless the research fits into the overall academic program of an institution, it places a heavy drain on the institutional budget and frequently leads to the diversion of funds needed for other, more essential functions of the institution.

The maintenance of an extensive sponsored research program often requires an educational institution to make organizational adjustments and commitments which may prove embarrassing as the program tapers off or fluctuates. A number of institutions have found it necessary to establish special offices and to add non-academic personnel to produce a steady flow of research contracts and grants to maintain the programs. Then, too, it may be difficult, if not impossible, to readily integrate into the regular staff of an institution specialized personnel employed specifically for the execution of particular sponsored research contracts upon completion of these projects.

The lack of uniformity in the policies and procedures of the various government agencies, and even among the various divisions within a single agency, adds to the complexity and difficulty of administering and conducting government-sponsored research projects and discourages many institutions from seeking them. As a result, a large proportion of such research is concentrated in a limited number of institutions. The failure of sponsored research projects to carry the full cost also prevents many institutions from accepting such projects, even though their faculty members may be interested in the research and qualified to perform it.

It is recognized that the performance at educational institutions of sponsored research, particularly government-supported research, will continue for a long time and that an early return to the previous normal pattern of academic life may not be anticipated. The availability of the resources of the universities and colleges is essential to the maintenance of national security, as well as the health, safety and welfare of the nation and of the free world. Careful and prudent consideration must, therefore, be given to the formulation of sound long-range plans for cooperation and mutually advantageous relationships between the institutions and the supporting agencies. This requires clarification and understanding by all concerned of the function of educational institutions and the development of well-conceived policies, practices and procedures.

FORMULATION OF A POLICY

This monograph has been prepared primarily to furnish a factual and interpretive presentation of currently prevailing policies, practices and procedures for the administration and conduct of university research and for the handling of patentable discoveries and inventions growing out of such research. Such a presentation can of itself be helpful as the basis for understanding and interpreting the current situation, both by university personnel and by research sponsors. It can also serve as a guide to those concerned with the formulation of a policy where none now exists or with the revision of an existing policy.

An analysis of the material presented in these pages concerning the situation at the major higher educational institutions in the United States, and particularly at the 147 institutions which have formalized research and patent policies, provides the benefit of the experience of these institutions. However, the continuing and expanding interest in the problem and the frequent requests for advice and assistance in formulating a policy justify the inclusion of a brief discussion of some of the more essential elements to be given consideration.

Fundamental Considerations

In the first place, it must be recognized that patents are usually fortuitous by-products of research. They are not necessarily the conscious or inevitable end-results of scientific investigation. This is particularly true of research on the university campus, which is conducted primarily with a view to expanding the frontiers of knowledge, encouraging and stimulating the spirit of inquiry and contributing toward the training of scientific and technological personnel.

Concerned with the discovery of new ideas and the understanding of nature and its laws, most scientists working in university laboratories are content to pursue their investigations without giving much thought to the practical application of the results. The conception and development of patentable discoveries and inventions are not the conscious objectives of their research efforts. They feel with Sir Henry Dale that "the primary and special function of research in the universities is to build the main fabric of knowledge by free and untrammelled inquiry and to be concerned with the practical uses of it only as these arise in the course of a natural development."

Nevertheless, many new ideas, discoveries and inventions may evolve as the result of experiments undertaken with quite a different purpose in view and may have valuable commercial application or require protection and control in the public interest. They may not only be essential to scientific and technological progress and to cultural and social advancement, but they may also be basic to industrial and military development and expansion. The protection and control provided under the patent laws may have to be invoked to obtain the greatest public benefit and usefulness from these products of scientific research. Whatever policy is established must of necessity embrace both research and patents.

In the formulation of a university research and patent policy thoughtful consideration must be given to the aims and objectives of the institution, to its statutory and organic structure, to the character of its educational program, to the place and extent of research in that program and to the time and attitude of the faculty and staff, as well as the facilities available for research. The significance of these factors has already been indicated in the earlier discussion of the impact of sponsored research.

Although universities and colleges are primarily teaching institutions, research is and always has been an essential part of their educational programs. It is an important adjunct of informed and effective teaching. Through research the members of a university community and the university itself enhance their capabilities for further extending the boundaries of human knowledge, for arousing and encouraging attitudes of scientific and critical inquiry in faculty members and students alike and for training students to achieve greater success in scholarly and technical pursuits, as well as preparing them for better and fuller lives.

Research plays a more important role at some higher educational institutions than at others. Institutes of technology and professional schools, in particular, operate in fields which are concerned with both basic and applied research. Many of the larger universities, both public and private, and the land-grant colleges include not only the usual academic departments but also units predominantly involved in extensive research activities. The agricultural and engineering experiment stations located at state universities and land-grant colleges perform applied research as a public service.

Consideration must also be given to the attitude of the faculty and staff of the institution. As they are most vitally affected by the provisions of the policy, they should be given ample opportunity to participate actively in its formulation and to discuss and comment freely upon the successive drafts of the policy statement as it is developed. If the policy, as finally adopted, is to be operable and effective, the various groups and the diverse interests represented on the campus must recognize and accept both the spirit and the letter of the policy.

This end is best achieved through the actual development and formulation of the policy by a faculty or joint faculty-administration research and/or patent committee, board or council, regardless of whether the initiative for its establishment stems from faculty or from administrative sources. Before its final adoption, however, the policy should have administrative approval and also be reviewed and cleared by competent legal and business counsel.

The procedures prescribed for the implementation and operation of a research and patent policy and for the determination of equities in new discoveries and inventions and in the patents which may issue thereon should be consistent with the existing law and in conformance with the general policies and regulations of the institution. The procedures should be simple and definitive, yet comprehensive and subject to easy and effective administration. Otherwise it is inevitable that misunderstanding, confusion and dissatisfaction will arise.

Coverage

It is desirable that the basic principles of the policy have uniform applicability throughout the entire institution. Every employee, whether on the teaching, the research or the administrative staff, should be subject to the provisions of the policy and, under comparable circumstances, should expect and receive the same equitable treatment. Accordingly, the policy should cover all types of research performed at the institution and, insofar as practicable, all types of situations from which patentable discoveries and inventions might reasonably be expected to arise.

In order to provide incentive and encouragement to their faculty members and other employees in pursuing their personal research interests, most educational institutions place little or no restriction on the disposition of discoveries and inventions resulting from research conducted on an individual's own time and at his own expense, even though institutional facilities and equipment may have been used in their development. Such discoveries and inventions are considered to be the exclusive property of the inventor and he retains the full patent rights and complete freedom to make whatever disposition of them he deems proper.

Institutions having formalized research and patent policies usually recognize, by explicit reference or by implication in their formal policy statements, that the entire right, title and interest in and to a patentable discovery or invention which is not related to the individual's official teaching, research or administrative responsibilities belongs to the inventor and accordingly waive all claim to or equity in the discovery or invention and in any patents that may issue thereon. Similarly, at institutions which, in the absence of formalized policies, observe generally accepted practices, the ownership of a discovery or invention resulting from personal or individual research rests exclusively with the inventor.

Products of academic or institutionally sponsored research conducted by faculty members and other employees as a regular part of their teaching and research responsibilities, especially when patentable, require specific policy determination. When the discovery or invention is directly related to the official duties and responsibilities of the inventor, it is usually the practice to require assignment of title to the institution or its designated agent, with appropriate recognition of the equities of the inventor.

In such cases the institution bears the costs of obtaining the patent and assumes responsibility for its exploitation and protection, either directly or through an outside organization or patent management agent. Provision is also ordinarily made for the patent rights to revert to the inventor if the institution or its designated agent does not file an application for patent within a reasonable time. The exact period of time is usually, but not always, specified in the institutional patent policy or in the assignment agreement.

The recent increase of cooperative and externally sponsored research in higher educational institutions, supported by the government agencies, foundations, scientific societies, industry and trade groups, raises many problems. While certain of this research is of a fundamental or basic nature, much of it is developmental in character and may have valuable commercial application. The effect of such research activities on the overall educational programs of an institution and on the discharge of its responsibility for training scientific personnel often poses a problem.

Scientific and technological research sponsored and supported externally, especially by the Government and by industry, is today a major activity on many a university campus. It is conducted both as an integral part of the educational program and as a special service to the Government and industry. The support is given in various forms: as unrestricted gifts, as grants-in-aid, as industrial fellowships and under contracts for the financing of specific research projects.

When such externally sponsored research is conducted under contract, any patentable discovery or invention growing out of the research is subject to the terms of the contract. As the sponsor of the research project usually executes the contract with the institution, rather than the individual research worker, arrangements must be made by the institution for compliance with the terms of the contract in order that it may fulfill its contractual obligations. These arrangements may be, and ordinarily are, included in the institution's research policy or may be covered by a collateral patent waiver agreement or employment contract with the research workers engaged on the project.

Most institutions require full-time research personnel and others employed on special research projects to sign patent assignment agreements covering all patentable ideas and discoveries that may result from these investigations. Such agreements are generally required of full-time research workers in state agricultural and engineering experiment stations, and also of those employed on projects conducted in or under special research organizations affiliated with educational institutions.

Certain policies also include reference to patentable discoveries and inventions resulting from student research, especially when the student is employed or receives specific fellowship aid under a Government or industrial research grant or contract. However, except when subject to the terms of a research contract, such discoveries and inventions are generally considered to be the private property of the student. It is recognized that a student paying tuition is entitled to reasonable use of the facilities of the institution, as is a student receiving an academic scholarship or other financial aid.

Many institutions include in their policies special provisions with respect to those products of scientific and technological research which affect public or individual health. The prevailing practice, especially at universities with affiliated medical schools and colleges of pharmacy, is to handle discoveries, processes, developments and inventions of a medical, pharmaceutical, therapeutic or hygienic nature in such a manner that the greatest benefit may accrue to the greatest number. Such action does not necessarily preclude patenting them where it appears to be in the public interest to do so.

Other Considerations

Consideration should also be given, both in the formalized policy and in the implementing procedures, to recognizing and protecting the interests and rights not only of the institution but also of the inventor and, where one is involved, of an outside sponsor of the research out of which the patentable discovery or invention developed.

The procedures established for administering the policy and for determining equities in inventions should be so designed as to eliminate, insofar as is practicable, all complicated and burdensome effort on the part of the research workers and should encourage prompt disclosure of new discoveries and inventions and, where they are patentable, full cooperation in obtaining patents on them. Incentive for their doing so may be provided through the participation of the inventors in any revenues derived from the sale or exploitation of patents on their inventions.

The appropriate authority, whether a designated individual, committee, board or affiliated organization, responsible for the administration of the policy should be so selected that he or it will function judicially and impartially in the determination of equities. Provision should also be made for appeal from the decision of this administrative authority in the event of disagreement. In some instances this may involve recourse to outside arbitration.

It is the usual practice for educational institutions to retain control over the publication of the results of all research conducted on the campus, except personal research. When an investigation is financed through outside funds, that control is frequently, but not always, exercised subject to prior consent of the sponsor, and publication may be withheld for a reasonable time to protect patent applications and the interests of the sponsor in the commercial development of new discoveries, processes or inventions. In most instances the use of the name of the institution or of the inventor in publications and advertising by the sponsor is proscribed, except as approved by the institution.

Certain policies also include provision for consulting services by faculty members, especially when such services involve the use of the facilities of the institution. Ordinarily, reasonable use of institutional facilities by faculty members is permitted both for personal research and for outside consulting services for industry. Certain institutions require compensation or repayment of unusual expenses incurred in the performance of the research.

The sale and exploitation of patent rights require such a high degree of legal, technical and business skill, not ordinarily available within an educational institution and so alien to its primary objectives, that many institutions utilize the professional patent management services of outside organizations, as indicated in the discussion of arrangements for handling such matters in the chapter on "Patent Management Practices."

SPECIAL RESEARCH ORGANIZATIONS

Special research departments, divisions, laboratories, institutes and foundations established as integral units of, or separately incorporated but closely associated with, a number of institutions handle the administration and/or conduct of sponsored research performed under contract or grant. In some instances they are also administratively responsible for the coordination of all research activities at the institutions and frequently also the management of patentable results of such research. These organizations are located in all parts of the country and at all types of institutions, both large and small, public and private, at endowed colleges and universities, land-grant colleges, state universities, independent medical and other professional schools and institutes of technology alike.

Many are independent nonprofit organizations, separately incorporated but closely affiliated with the educational institutions and utilizing the regular personnel and facilities of the institutions. Others are integral parts of the administrative and organic structure of the institutions concerned and merely operate as special research departments or divisions. Some of them maintain their own laboratory and shop facilities and employ separate research, as well as administrative, personnel distinct from the regular teaching and administrative staffs of the institutions with which they are affiliated. Combinations of full-time services of special research workers and part-time research and supervisory services of the regular teaching faculty are found at a number of institutions.

Separately Incorporated Organizations

At the following institutions research sponsored by the Government, foundations and industry, through grants and contracts, is centrally administered and conducted either by the full-time research personnel of the independently incorporated nonprofit research institutes and foundations indicated or is performed by members of the regular institutional teaching and research staff under special contractual arrangements negotiated and administered by these organizations, or both:

Adelphi College	Adelphi Research Center
Agricultural and Mechanical College of Texas	Texas A & M Research Foundation
Auburn University	Auburn Research Foundation
Augustana College	Augustana Research Foundation
Bowling Green State University	Bowling Green State University Foundation
Chicago Medical School	Chicago Medical School Research Foundation
Colorado School of Mines	Colorado School of Mines Research Foundation
Colorado State University	Colorado State University Research Foundation

Cornell University	Cornell Research Foundation
Georgia Institute of Technology	Georgia Tech Research Institute
Indiana University	Indiana University Foundation
Kansas State University	Kansas State University Research Foundation
Linfield College	Linfield Research Institute
Lowell Technological Institute	Lowell Technological Institute Research Foundation
Medical College of Virginia	Medical College of Virginia Foundation
Montana State College	Endowment and Research Foundation
Newark College of Engineering	Newark College of Engineering Research Foundation
North Carolina State College	North Carolina State College Research Foundation
North Dakota State University	North Dakota Research Foundation
Ohio State University	Ohio State University Research Foundation
Oklahoma State University	Research Foundation of Oklahoma State University
Purdue University	Purdue Research Foundation
Rutgers, The State University	Rutgers Research and Educational Foundation
South Dakota School of Mines and Technology	South Dakota School of Mines Research and Development Association
Southern Illinois University	Southern Illinois University Foundation
State University of New York	Research Foundation of State University of New York
State University of South Dakota	South Dakota Research Foundation
Tuskegee Institute	George Washington Carver Foundation
University of Connecticut	University of Connecticut Research Foundation
University of Delaware	University of Delaware Research Foundation
University of Georgia	University of Georgia Foundation
University of Illinois	University of Illinois Foundation
University of Kentucky	Kentucky Research Foundation
University of Louisville	University of Louisville Institute of Industrial Research
University of Nebraska	University of Nebraska Foundation
University of North Dakota	North Dakota Research Foundation
University of Oklahoma	University of Oklahoma Research Institute
University of Puget Sound	University of Puget Sound Research Institute
University of Toledo	Research Foundation of the University of Toledo

The separately incorporated Agricultural Engineering Research Foundation and the Agricultural Research Foundation, both of which operate in cooperation with the state agricultural experiment station located at Oregon State University, also make contractual research arrangements for investigations conducted at that University, as do the Oklahoma Medical Research Foundation for the University of Oklahoma School of Medicine, the Medical Research Foundation of Oregon for the University of Oregon Medical School and the North Carolina Pharmaceutical Research Foundation for the College of Pharmacy at the University of North Carolina.

All but nine of these separately incorporated nonprofit research organizations have been in existence for more than fifteen years, many of them for a considerably longer time. Nearly half of these organizations came into being between 1942 and 1946, largely in connection with the handling of government research contracts during World War II. The oldest is the Purdue Research Foundation, which has served as a model for a number of the more recently established university research foundations, particularly those at state universities. It was created in 1930 as an outgrowth of an earlier all-university Department of Research Relations established in 1928.

Many of the university-affiliated foundations, especially those associated with state universities and land-grant colleges, have been established with broad powers which enable them to engage in a wide range of activities, of which the administration and conduct of contractual research is only one. A number are empowered to, and do, promote the interests of the institutions through a variety of other services, including the development of new sources of revenue, not only in support of research but also for the general endowment and current expenses of the institutions.

Sponsored research projects, mainly in the aeronautical engineering field, are conducted for Cornell University at the separately incorporated off-campus Cornell Aeronautical Laboratory, which is wholly owned and independently operated by the Cornell Research Foundation, a separately incorporated subsidiary of the University. Although maintaining an earlier connection with the University of Pittsburgh, the Mellon Institute of Industrial Research, which is separately incorporated and which has for years operated as an autonomous entity, offers independent research services to government and to industry under directly negotiated contractual arrangements.

The separately incorporated Stanford Research Institute, which was originally established to promote the educational and research purposes of Stanford University, currently operates as a completely independent research organization with its own staff and facilities, although occasionally employing members of the University faculty. However, through mutually beneficial arrangements, the Institute and the University use certain special research facilities jointly. The research activities of the separately incorporated Research Institute of Temple University are likewise entirely independent of those of Temple University and, except for occasional use of University personnel, are conducted with its own research staff and facilities.

A similar situation exists at the Armour Research Foundation, a separately incorporated research organization independently operated but legally affiliated with the Illinois Institute of Technology. The Lithographic Technical Foundation, which has no direct affiliation with any other educational or research organization, has entered into a cooperative research agreement with the Armour Research Foundation and maintains its own research laboratories and staff on the campus of the Illinois Institute of Technology.

The separately incorporated Institute of Gas Technology, which is also affiliated with the Illinois Institute of Technology, operates as an independent educational and research organization in its field, as does the separately incorporated Institute of Paper Chemistry, which conducts an independent graduate education program under an arrangement with Lawrence College whereby the latter grants the graduate degrees. The Textile Research Institute, another separately incorporated research and educational organization which is fiscally and administratively independent, conducts a program of graduate education cooperatively with Princeton University.

Several independent nonprofit research organizations, which are separately incorporated and have their own research personnel and facilities, maintain laboratories located on a university or college campus, among which are those of the American Meat Institute Foundation at the University of Chicago and of the Asphalt Institute at the University of Maryland. Similarly the Fels Research Institute, the research arm of the Samuel S. Fels Fund, and the Charles F. Kettering Research Laboratory operated by the Charles F. Kettering Foundation are located on the campus of Antioch College.

A number of other independent nonprofit research organizations, which are also separately incorporated and have their own research personnel and facilities, collaborate with neighboring educational institutions. In many instances their staff members teach part-time in the institutions and these organizations frequently employ the latter's faculty members and graduate students on research projects. The American Foundation for Biological Research, for example, maintains such relations with the University of Wisconsin, as does the Institute for Sex Research with the Indiana University.

Similarly the Sloan-Kettering Institute for Cancer Research, a separately incorporated organization, operates as the research arm of the Memorial Sloan-Kettering Cancer Center, a graduate division of the Cornell University Medical College. Research Triangle Institute, a recently incorporated nonprofit research organization, which is independently staffed and operated, collaborates with Duke University, the University of North Carolina and the North Carolina State College.

In the medical field the Alton Ochsner Foundation, a separately incorporated nonprofit research organization, cooperates with the medical schools in the New Orleans area, as does the Research Foundation of Children's Hospital with the medical schools of Georgetown and George Washington Universities. The Child Research Center of Michigan, the Detroit Institute for Cancer Research and the Kresge Eye Institute, also independent, separately incorporated research organizations, maintain similar relations with the Wayne State University College of Medicine, as do the Wistar Institute of Anatomy and Biology with the University of Pennsylvania School of Medicine and the Roswell Park Memorial Institute with the University of Buffalo School of Medicine.

The North Dakota Research Foundation, which was established by legislative action to foster and promote efforts, including research, to stabilize the economy of the state, operates as an independent entity but maintains close cooperation with North Dakota State University and the University of North Dakota in a research program designed to develop the natural resources of the state. Among other activities designed to aid in the growth and support of the South Dakota School of Mines and Technology, the South Dakota School of Mines Research and Development Association, an independent nonprofit corporation, operates in collaboration with the School in obtaining and administering research contracts.

Similarly a number of other separately incorporated nonprofit organizations affiliated with educational institutions solicit and administer general purpose gifts and grants, as well as research grants and contracts from the Government, foundations, industry and individuals in conjunction with their fund-raising efforts for the institutions. In most instances the research is performed under their auspices by members of the faculty and staff of the affiliated institutions.

Unincorporated Units

At some institutions sponsored research is performed and/or coordinated and administered under contractual arrangements made by special institutional units. A few of these maintain their own full-time research personnel, but most of them utilize the part-time services of the regular teaching staffs of the institutions. The following are examples of such unincorporated institutional units, most of which operate on an institution-wide basis:

Alfred University	Alfred University Research Foundation
Harvard University	Office for Research Contracts
Iowa State University	Industrial Science Research Institute
The Johns Hopkins University	Institute for Cooperative Research
Lamar State College of Technology	Lamar Research Center
Lehigh University	Lehigh Institute of Research
Massachusetts Institute of Technology	Division of Sponsored Research
Medical College of South Carolina	Research Grants-in-Aid Office
Milwaukee School of Engineering	Industrial Research Institute
New Bedford Institute of Technology	Research Foundation of the New Bedford Institute of Technology
New Mexico Highlands University	Institute of Scientific Research
New Mexico Institute of Mining and Technology	Research and Development Division
New York University	Office of Research Services
Norwich University	Vermont Bureau of Industrial Research
Princeton University	Office of Research Administration
Rensselaer Polytechnic Institute	Research Division
Seattle Pacific College	Institute for Research
Southwestern at Memphis	Southwestern Research Institute
Syracuse University	Syracuse University Research Institute
Temple University	Office of Research and Specialized Services
University of California	Institute of Engineering Research
University of Cincinnati	Research Foundation of the University of Cincinnati
University of Dayton	University of Dayton Research Institute
University of Denver	Denver Research Institute
University of Detroit	Research Institute of Science and Engineering
University of Houston	University of Houston Research Institute
University of Maine	Department of Industrial Cooperation
University of Miami	Division of Research and Industry
University of Michigan	Office of Research Administration
University of New Mexico	Division of Research and Development
University of Pennsylvania	Office of Project Research and Grants
University of Wyoming	Natural Resources Research Institute
Washington State University	Division of Industrial Research
Wittenberg University	Wittenberg Research Institute

Although many of these special institutional research units were created during World War II to handle contractual research projects for government agencies, several have been in existence for more than thirty years. The oldest is the Division of Sponsored Research at the Massachusetts Institute of Technology, successor to the Division of Industrial Cooperation organized in 1920 as an administrative unit of the Institute to facilitate the use of the research facilities and personnel of the Institute by industry and government.

The Lehigh Institute of Research was organized in 1924 to encourage and promote scientific research and scholarly achievement, as well as conduct cooperative research, in the various divisions represented at Lehigh University. The Office of Research Administration at the University of Michigan continues the functions previously performed by the University's Research Institute, a university-wide outgrowth of an Engineering Research Institute which in turn has developed from a Department of Engineering Research originally established as a division of the College of Engineering in 1920.

Contractual research in specialized fields is also conducted for government and industry by or under the auspices of special laboratories, divisions or other unincorporated units at a number of other institutions. Some of these have their own separate research personnel and administrative staffs; most of them, however, utilize the personnel and facilities of the institutions of which they are part for the performance of the research.

The Applied Physics Laboratory, a specialized research division of The Johns Hopkins University with separate off-campus facilities and staff, administers and performs sponsored research, under a contract with the Office of Naval Research, independent of the Institute for Cooperative Research which coordinates all other contractual research within the University. The Applied Physics Laboratory at the University of Washington performs a similar function.

A number of similarly specialized research centers have been established at various universities to perform both classified and unclassified research primarily and in many instances exclusively under contract with defense agencies of the Government. Under contract with the Office of Naval Research or other bureaus of the Department of the Navy there are, in addition to the two already mentioned, the Ordnance Research Laboratory operated by Pennsylvania State University, the Hudson Laboratories by Columbia University, the Naval Biological Laboratory by the University of California School of Public Health in collaboration with naval personnel, the Arctic Research Laboratory by the University of Alaska, Project Squid currently by Princeton University, but moving to the University of Virginia in September 1962, and the Logistics Research Project by George Washington University.

Operating under Department of the Army contracts are the Electronics Laboratory at the University of California, the Stanford Electronics Laboratory at Stanford University, the Cooley Electronics Laboratory and Project Michigan at the University of Michigan, the Research Laboratory of Electronics at Massachusetts Institute of Technology, the Mathematics Research Center at the University of Wisconsin, in Human Resources Research Office at George Washington University and the Special Operations Research Office at American University.

Massachusetts Institute of Technology also operates the off-campus Lincoln Laboratory, the National Magnet Laboratory and the Laboratory for Insulation Research under Department of the Air Force contracts. Similarly under contract with the Department of the Air Force, the University of Alaska operates the Arctic Aeromedical Laboratory which, like the previously mentioned Arctic Research Laboratory, is staffed by the University's Geophysical Institute.

The University of California maintains, under contract with the Atomic Energy Commission, the Lawrence and Livermore Radiation Laboratories, the Los Alamos Scientific Laboratory, the Laboratory of Nuclear Medicine and Radiation Biology at its Los Angeles School of Medicine and the Radiological Laboratory at its San Francisco Medical Center. Also under Atomic Energy Commission contracts are the Ames Laboratory operated by Iowa State University as an integral part of its Institute for Atomic Research, the Plasma Laboratory by Princeton University, the Puerto Rico Nuclear Center by the University of Puerto Rico, the Argonne Cancer Research Hospital by the University of Chicago and the Atomic Energy Project by the University of Rochester.

The Jet Propulsion Laboratory is operated as an off-campus entity by California Institute of Technology under a research and development contract with the National Aeronautics and Space Administration. In addition, Brookhaven National Laboratory is operated as an independent research facility by Associated Universities, Inc., a nonprofit non-stock corporation sponsored by nine eastern universities, under an Atomic Energy Commission contract, as are the Oak Ridge National Laboratory and its Medical Research Laboratory operated by the Oak Ridge Institute of Nuclear Studies, a separately incorporated nonprofit research and educational center affiliated with 38 southern universities. The Argonne National Laboratory is also operated under an Atomic Energy Commission contract by the University of Chicago with the collaboration of more than 30 associated midwestern universities. Similarly the Midwestern Universities Research Association, a separately incorporated not-for-profit research organization affiliated with 15 midwestern universities, performs contractual research for the Government.

A number of other institutions have developed specialized institutes and laboratories primarily to provide sponsored research services. Among these are the Graduate Aeronautical Laboratories at California Institute of Technology, the Nuclear Research Center at Carnegie Institute of Technology, the Center for Radiophysics and Space Research at Cornell University, the Courant Institute of Mathematical Sciences at New York University, the Institute of Polar Studies at the Ohio State University, the Microwave Laboratory at Polytechnic Institute of Brooklyn, the Institute of Rubber Research at the University of Akron, the Institute of Atmospheric Physics at the University of Arizona, the Enrico Fermi Institute for Nuclear Studies and the Laboratories for Applied Science at the University of Chicago and the Institute of Aviation at the University of Illinois.

The Research Division of the College of Engineering at New York University coordinates the research activities of that college and carries on sponsored research for government agencies and industrial organizations, utilizing the engineering and scientific personnel and specialized research facilities of the College as well as the full-time services of its own research staff. For sponsored research, primarily in the engineering and related sciences, Michigan State University maintains a Division of Engineering Research, the University of Pittsburgh an Engineering Research Division, the University of Southern California an Engineering Research Center and the University of Virginia a Research Laboratory for the Engineering Sciences.

Similar specialized research facilities in the biological and medical fields include the Chronic Disease Research Institute at the University of Buffalo School of Medicine, the Donner Laboratory at the University of California, the Lobund Germfree Life Research Laboratories at the University of Notre Dame, the Clayton Foundation Biochemical Institute at the University of Texas and the Institute of Microbiology at Rutgers, The State University.

Special-purpose grants and contracts for research in the Department of Biochemistry in the St. Louis University School of Medicine, as well as in other departments of the medical school, are administered by the Biochemistry Committee on Grants for Research of that institution. The Pharmaceutical Foundation of the College of Pharmacy at the University of Texas, an unincorporated unit of the College, aids in fostering and promoting the growth and progress of pharmaceutical education, research and graduate study in the College.

The state agricultural and engineering experiment stations located at land-grant colleges and state universities administer and conduct sponsored research in their own fields for their respective institutions, as do the state bureaus of mines units located at these institutions. The Institute of Engineering Research at the University of California and the Natural Resources Research Institute at the University of Wyoming serve as the state engineering experiment stations at their respective institutions, as well as coordinating and supervising other sponsored research conducted at the two universities on a contractual basis. Neither has a separate research staff or facilities of its own, but utilizes the personnel and laboratories of the university.

Almost invariably those employed on full-time research in these stations and bureaus, as in the special research laboratories and institutes affiliated with or integral parts of the educational institutions, are required to execute patent waiver agreements covering patentable discoveries and inventions in any way related to their work. Others engaged on part-time research are also usually required to execute such agreements, especially with respect to inventions resulting from contractual research projects.

PATENT MANAGEMENT PRACTICES

Most universities and colleges endeavor to avoid becoming involved in the intricate technical and commercial aspects of patent management, mainly because they do not have the personnel with the requisite specialized knowledge and experience. They recognize that patent management is a complicated undertaking, that it is expensive and that it demands a high degree of legal competence, administrative astuteness and promotional zeal—a combination of talent not always readily available in an educational institution.

The patent search is a specialized technical service. The preparation and processing of patent applications are exacting work for professionally trained patent attorneys. The administration of patent rights requires careful attention to many intricate business and legal details and constant watch for infringement and interference. The exploitation and disposal of patents and patent rights, through sale and licensing agreements, call for both salesmanship and legal counsel of a high order, as well as experience with the varied commercial aspects of patent management.

Procedures Followed

Some institutions administer patent applications and the resulting patents directly, utilizing their regular administrative personnel or special units within the institutions themselves or, where separately organized, agencies designated by and responsible to their boards of trustees. Others, for legal or fiscal reasons, use the facilities and personnel of separately incorporated nonprofit organizations, independent of but closely allied to the institutions, under patent development agreements.

As indicated below, 111 institutions have entered into patent development agreements with Research Corporation, an independent separately incorporated nonprofit foundation, to handle patentable discoveries and inventions in their behalf, with full protection of their interests as well as the interests of both the inventors and the public. Also, more recently, several of these institutions have entered into similar agreements with Battelle Development Corporation and utilize the facilities and services of that nonprofit patent management organization.

It is natural that most universities and colleges make every effort to avoid becoming directly involved in the intricate legal and commercial aspects of patent management. Some endeavor to accomplish this by the adoption of a laissez-faire or hands-off policy and some even refuse to handle patents. Others have established or have encouraged the organization of separately incorporated patent management organizations. Many of these organizations are independently operated but are closely related to the institutions by the terms of their charters and through membership of trustees, administrative officers and faculty, as well as alumni, of the institutions on their board of directors. As indicated above, many have entered into agreements with Research Corporation and Battelle Development Corporation to handle their patent activities.

Nevertheless, a few institutions attempt to handle patents as a part of the routine duties of already established administrative units, such as the comptroller's or business offices, or through specially designated committees responsible directly to the administration or the trustees of the university. A number have faculty or joint faculty-administration committees on patents, which exist primarily for the purpose of ensuring that the pertinent institutional regulations are observed. Often these committees also serve as advisory bodies and are charged with recommending action on matters that range from the desirability of taking out a patent to the determination of equities.

Even at those institutions which leave to the individual inventors the responsibility for handling any patentable discoveries or inventions which may result from their research activities, and also at many of those which observe laissez-faire policies, a faculty or staff member who believes that he has made a discovery or invention which may have patentable possibilities is usually required to bring the matter to the attention of the administration, either directly or through an appropriate committee. Determination is then made, by the administration directly or on recommendation of the committee, as to whether the institution has any interest or equity in the discovery or invention and what procedure should be followed.

This procedure is frequently specified in the formalized policy of the institution and provision made for the establishment of a standing patent committee or board to deal with all such matters. Such a committee or board may also advise and aid faculty members on questions of patentability, the prosecution of patent applications and, occasionally, the exploitation of the patents when issued and the practical aspects of patent management.

In this way the institutions also seek protection against the expropriation and exploitation, by personal and private interests, of the results of scientific and technological research performed in the laboratories of the institutions, the cost of which may have been paid with institutional funds or from funds provided by outside sponsors of the research and administered by the institutions.

The disposition of the patent rights and their protection present many and varied perplexing administrative and legal problems. Unless the patents are obtained with a view to their dedication to the public or merely to prevent outside interests from expropriating and patenting the discoveries or inventions in their own names to the possible detriment and complication of further research in the field, the patents are saleable assets.

In many instances the educational institution has a substantial investment in the discoveries or inventions and also in the patents obtained thereon and promotional effort is necessary to sell or license the patents. Placing the inventions or the finished products based upon them in commercial production, introducing them to the public and gaining consumer acceptance and use require additional investment in money and services on the part of the licensees, as well as the cooperation of the institution and of the inventor in many instances.

Frequently these functions are more effectively performed in behalf of an educational institution by a separately incorporated nonprofit patent management organization affiliated with the institution or, more often, by Research Corporation or Battelle Development Corporation. Such an organization protects the interests both of the institution and of the inventors, the sponsors and the general public, as well as handling the exploitation of patentable discoveries and inventions.

Affiliated Patent Management Agencies

The establishment of nonprofit foundations, corporations and institutes, independent of but closely affiliated with educational institutions, for the management of the patentable results of university research is a comparatively recent development in American higher education. Several of these have been in existence more than thirty years, but the majority have come into being since 1942, a number of them during the past decade.

While these organizations are located in all parts of the country and collaborate with all types of institutions, a considerable number are to be found in affiliation with state universities and land-grant colleges. In many instances they have been created to relieve administrative staffs of the complicated and time-consuming technical and commercial aspects of patent management and to perform functions which the institutions preferred, for legal or fiscal reasons, not to undertake themselves or for which they did not have adequate technically and professionally qualified personnel.

There are at present more than fifty of these separately incorporated nonprofit organizations performing, or authorized to perform, patent management functions for the institutions with which they are affiliated, as well as individual faculty members by voluntary assignment of their inventions, as indicated below:

Arizona Research Foundation	University of Arizona
Auburn Research Foundation	Auburn University
Augustana Research Foundation	Augustana College
California Institute Research Foundation	California Institute of Technology
Chicago Medical School Research Foundation	Chicago Medical School
Colorado School of Mines Foundation	Colorado School of Mines
Colorado State University Research Foundation	Colorado State University
Cornell Research Foundation	Cornell University
Endowment and Research Foundation at	Montana State College
Foundation for Research at the	University of Washington
George Washington Carver Foundation	Tuskegee Institute
Georgia Tech Research Institute	Georgia Institute of Technology
Indiana University Foundation	Indiana University
Iowa State University Research Foundation	Iowa State University
Kansas State University Research Foundation	Kansas State University
Kansas University Endowment Association	University of Kansas
Kentucky Research Foundation	University of Kentucky

Lowell Technological Institute Research Foundation	Lowell Technological Institute
Medical College of Virginia Foundation	Medical College of Virginia
Michigan Research Foundation	University of Michigan
Newark College of Engineering Research Foundation	Newark College of Engineering
Noned Corporation	University of Rochester
North Dakota Research Foundation	North Dakota State University and University of North Dakota
Ohio Northern University Foundation	Ohio Northern University
Ohio State University Research Foundation	Ohio State University
Pennsylvania Research Corporation	Pennsylvania State University
Purdue Research Foundation	Purdue University
Research Foundation of	Oklahoma State University
Research Foundation of	State University of New York
Research Foundation of the	University of Toledo
Research Institute of	Temple University
Rutgers Research and Educational Foundation	Rutgers, The State University
South Dakota School of Mines Research and Development Association	South Dakota School of Mines and Technology
South Dakota Research Foundation	State University of South Dakota
South Dakota State College Foundation	South Dakota State College
Southern Illinois University Foundation	Southern Illinois University
Stevens Research Foundation	Stevens Institute of Technology
Texas A & M Research Foundation	Texas Agricultural and Mechanical College System
University of Arizona Foundation	University of Arizona
University of Connecticut Research Foundation	University of Connecticut
University of Delaware Research Foundation	University of Delaware
University of Florida Endowment Corporation	University of Florida
University of Georgia Foundation	University of Georgia
University of Idaho Research Foundation	University of Idaho
University of Illinois Foundation	University of Illinois
University of Louisville Institute of Industrial Research	University of Louisville
University of Nebraska Foundation	University of Nebraska
University of Oklahoma Research Institute	University of Oklahoma
University of Tennessee Research Corporation	University of Tennessee
University Patents, Incorporated	Columbia University
Utah Scientific Research Foundation	Utah State University
Washington Research Foundation	Washington State University
Wisconsin Alumni Research Foundation	University of Wisconsin
Yeshiva University Medical Research Foundation	Albert Einstein College of Medicine

A number of these foundations and corporations have entered into patent development agreements with Research Corporation, either directly or through the institutions with which they are affiliated, for that independent nonprofit organization to perform patent management functions in their behalf, for them as well as for the institutions directly.

Many of these affiliated patent management organizations also represent the institutions in contractual relations with sponsors of university research, while several of them are also concerned with the development of new sources of financial support for the institutions.

The oldest is the Wisconsin Alumni Research Foundation, which was established in 1925 to perform patent management services for the University of Wisconsin. It was not only the pioneer among such university-affiliated nonprofit organizations but has also been financially the most successful.

The Purdue Research Foundation, which has served as a model for a number of the more recently established university research foundations, particularly at state institutions, was created in 1930 as an outgrowth of an earlier all-university Department of Research Relations at Purdue University. The Foundation normally handles patent matters as well as sponsored research for the University.

The Cornell Research Foundation was established in 1932, while the University of Florida Endowment Corporation and the University of Tennessee Research Corporation were organized in 1934, primarily for the purpose of holding title to and administering patents in behalf of the respective institutions and also, by voluntary assignment, for inventors among the faculty.

Other Arrangements

Certain of the specialized nonprofit research and patent management organizations affiliated with educational institutions also perform, or are authorized to perform, patent management functions in their respective fields for the institutions with which they are affiliated. The Agricultural Research Foundation, which collaborates with the Oregon state agricultural experiment station located at Oregon State University, is authorized to perform such services both for the University and for the station, as well as their employees.

The Oklahoma Medical Research Foundation is authorized to handle patents on discoveries and inventions resulting from research in the University of Oklahoma School of Medicine, as are the North Carolina Pharmaceutical Research Foundation for the School of Pharmacy at the University of North Carolina and the Alumni Research Foundation of the College of Medical Evangelists for all units of Loma Linda University, formerly the College of Medical Evangelists.

Although it is primarily a special research organization offering research and experimental engineering services to industry and government, the Armour Research Foundation is authorized to manage patents for the Illinois Institute of Technology, as well as patents on discoveries and inventions growing out of its own research activities which the Foundation holds in its own name.

Under certain circumstances the Institute of Gas Technology, which operates in the field of gas technology as an educational and research institution affiliated with the Illinois Institute of Technology, may manage patents, as may the Institute of Paper Chemistry, which is also an independent educational institution providing graduate training and research facilities in fields of interest to the pulp and paper industry.

Several of the unincorporated nonprofit research organizations, including the Alfred University Research Foundation, the Institute of Scientific Research at New Mexico Highlands University, the Syracuse University Research Institute and the Research Foundation of the University of Cincinnati, perform patent management functions for the universities of which each is an integral part. Similarly the Research and Development Division at New Mexico Institute of Mining and Technology performs these functions for the Institute, as does the Research Division at Rensselaer Polytechnic Institute.

Patentable discoveries and inventions resulting from research in the School of Medicine at St. Louis University are handled by the Biochemistry Committee on Grants for Research. At Princeton University an Office of Research Administration and at the University of Pennsylvania an Office of Project Research and Grants represent their respective universities in the processing and management of inventions and patents, as well as in sponsored research matters, and act as liaison agents with outside organizations with which the universities have patent development agreements.

The special faculty or joint faculty-administration committees and boards which administer the patent policies at a number of institutions frequently include among their responsibilities an advisory function in the patent management field. However, the technical and commercial aspects of patent development and management are usually handled on behalf of the institutions either by the appropriate members of the institutional administrative staff or through special arrangements with designated outside organizations.

Research Corporation

The following 111 colleges and universities have, directly or through affiliated patent management organizations, entered into patent development agreements with Research Corporation, under which that independent nonprofit foundation handles patentable discoveries and inventions both in behalf of the institutions and in the interest of inventors among their faculty and staff:

Agricultural and Mechanical College of Texas
Amherst College
Arizona State University
Baylor University
Beloit College
Brigham Young University
Butler University
Carnegie Institute of Technology
Case Institute of Technology
Clarkson College of Technology
College of Emporia
Colorado State University
Cornell University
Dartmouth College
Duke University
Fenn College
Florida State University
Fordham University
George Washington University
Grinnell College
Hahnemann Medical College
Harvard University
Indiana University
Jefferson Medical College
The Johns Hopkins University
Kansas State University
Linfield College
Louisiana Polytechnic Institute
Louisiana State University
Loyola University (Illinois)
Massachusetts Institute of Technology
Michigan State University
Mills College
Mississippi State University
Montana State College
Newark College of Engineering
New Mexico State University
New York University
Northeastern University
Northwestern University
Norwich University
Occidental College
Ohio University

Oklahoma State University
Oregon State University
Parsons College
Pennsylvania State University
Polytechnic Institute of Brooklyn
Princeton University
Purdue University
Reed College
Rensselaer Polytechnic Institute
Rose Polytechnic Institute
St. Edward's University
St. John's University (New York)
St. Louis University
South Dakota State College
Stanford University
Stevens Institute of Technology
Tufts University
Union College
University of Arizona
University of Arkansas
University of Buffalo
University of Chattanooga
University of Chicago
University of Cincinnati
University of Colorado
University of Connecticut
University of Dayton
University of Denver
University of Detroit
University of Florida
University of Georgia
University of Hartford
University of Houston
University of Idaho
University of Kansas
University of Maine
University of Maryland
University of Massachusetts
University of Miami
University of Michigan
University of Missouri
University of Nebraska
University of New Hampshire
University of New Mexico
University of North Carolina
University of North Dakota
University of Oklahoma
University of Oregon
University of Pennsylvania
University of Pittsburgh
University of Puget Sound
University of Rochester
University of Southern California
University of Tulsa
University of Utah
University of Vermont
University of Virginia
University of Washington
University of Wyoming
Utah State University
Virginia Polytechnic Institute
Washington State University
Wayne State University
Wesleyan University
West Virginia University
Western Reserve University
Winona State College
Yale University

The agreement with the University of North Carolina applies to the North Carolina State College of Agriculture and Engineering in Raleigh and to the Woman's College in Greensboro, as well as the University in Chapel Hill. Similarly, the agreement with the Agricultural and Mechanical College of Texas applies to the Arlington State College, to the Tarleton State College, to the Prairie View Agricultural and Mechanical College and to the other units of the Texas Agricultural and Mechanical College System.

Several of the institutions mention specifically in their formalized patent policies the use of Research Corporation, while in a few instances mention is made of Research Corporation or, optionally, a similar independent nonprofit patent management organization. A number of additional institutions have arrangements with Research Corporation under contemplation, while still others encourage their staff members to avail themselves of the facilities and services of the Corporation through the voluntary assignment of their inventions.

Research Corporation was established in 1912 as a nonprofit organization embodying the ideal of utilizing the proceeds derived from applied research to the further advancement of science and technology. The Corporation's charter requires that its net earnings be contributed to such scientific and educational institutions and societies as its board of directors may from time to time select, to enable such institutions and societies to conduct technical and scientific investigation, research and experimentation.

Under a typical patent development agreement with an educational institution Research Corporation agrees to evaluate inventions submitted to it and to secure patents on and license those which are acceptable to the Corporation and should, in the belief of the Corporation, be patented either in the broad public interest or as revenue-producing possibilities. Each agreement is tailor-made to fit the institution's individual situation, but follows a fairly uniform pattern which has been developed over the years.

A contract-set percentage of the income derived from each patent so managed is paid to the inventor. Where the university's policy prescribes that a percentage, not in excess of 15%, of the gross income go to the inventor, the contract provides for payment of this amount directly to the inventor. The remainder is divided with the university on a fifty-fifty basis. Where the university has no fixed policy as to the inventor's share, the agreement usually provides for Research Corporation to retain 42½% of the gross income, with the balance to be paid directly to the university for division between itself and the inventor on a mutually acceptable basis.

The Corporation bears all patent prosecution and management expenses from its share. Under this plan the institution is relieved of all concern with patenting, licensing and introduction into use of the invention. Similarly, when an individual inventor makes an agreement with the Corporation to handle a personally owned patent for him, he is relieved of these problems and responsibilities. Such portion of the Corporation's share of the income from all the patents which it handles as becomes surplus is applied, in the discretion of its board of directors, for the support of scientific research through its grants-in-aid program.

Similar Agreements

More recently several universities have entered into invention development agreements with the Battelle Development Corporation, under which that non-profit organization handles patentable discoveries and inventions both in their behalf and in the interest of inventors among their faculty and staff. At present the Corporation has such agreements in effect with the following institutions: Carnegie Institute of Technology, Pennsylvania State University, Polytechnic Institute of Brooklyn, Princeton University, the University of Cincinnati, the University of New Mexico and Washington State University. A number of other institutions are in the process of formally approving similar invention development agreements and it is expected that these agreements will be consummated very soon.

The Battelle Development Corporation, which is a wholly owned, not-for-profit subsidiary of Battelle Memorial Institute, an independent incorporated non-profit research organization established in 1925, has participated in the furtherance of scientific research since its inception in 1935. It regularly evaluates ideas submitted to it by third parties and those which show promise may form the basis of research programs at the Institute or elsewhere. Among the ideas submitted to it are many from universities under agreements which provide that, if the university chooses to do so, it may submit inventions of its staff and faculty members to the Corporation.

The Corporation evaluates each such invention at its own expense and, if the invention is found suitable to become the subject of further scientific research, the Corporation supports such scientific research. Patent protection is also obtained and, if the research is successful, eventually the development may be licensed to industry so that it may be made available to the general public. It is the policy of the Corporation to license such developments on a nonexclusive basis.

Any royalty income received is shared with the university and the inventor, in accordance with the invention development agreement. Any royalties retained by the Battelle Development Corporation are used to defray its expenses and any surplus is applied to further its scientific purposes and the scientific purposes of its parent corporation, Battelle Memorial Institute. During its 27-year history the Battelle Development Corporation has had extensive experience in selecting ideas to become the subject matter of scientific research and it has demonstrated its ability to bring to the public ideas that might otherwise lie dormant.

At various times in the past other nonprofit organizations have formulated plans for and have undertaken the development and management of patents both in their own behalf and for universities and individual inventors by voluntary assignment of their inventions. The Chemical Foundation, which was established in 1919 as an independent nonprofit corporation primarily to acquire the chemical processes covered by enemy-owned United States patents by purchase from the Alien Property Custodian, but is now relatively inactive, formulated plans for the acquisition of patent rights by assignment from universities, medical schools and other research organizations, as well as individual inventors.

The Institute of Inventive Research, originally established in 1946 as an independent nonprofit patent management organization but now the inventions development division of Southwest Research Institute, an independent nonprofit research organization established in 1947, has over the years evaluated, developed and managed inventions and patents thereon in behalf of other nonprofit organizations and individual inventors. The Lasdon Foundation, an independent nonprofit organization established in 1946 for the furtherance of research in the fields of medicine, chemistry, pharmacology and physiology primarily through grants-in-aid of meritorious research by qualified institutions and individuals, also manages patents both in its own behalf and for others by voluntary assignment under mutually beneficial patent development agreements.

INSTITUTIONAL POLICIES AND PRACTICES

The following 349 individual institutional statements represent briefly the specific situation prevailing in July 1962 at each of the institutions which either has a formalized research and patent policy or observes a generally accepted practice for the conduct of scientific and technological research performed by faculty and staff members and for the handling of new discoveries, inventions and patents resulting from such research. Most of these institutions have developed prescribed procedures for administering and conducting the research, more or less along the lines described earlier in the chapter on "Research Procedures," as well as patent management procedures.

Each statement contains current information concerning the situation at the institution including:

> (1) either a verbatim transcript of the formalized research and patent policy, with its date of adoption and by whom it was adopted, as well as its applicability or limitation, or a brief description of the generally accepted practice;
>
> (2) how sponsored research is conducted at the institution and what individual or organizational unit is administratively responsible for such research and, where one exists, the special research institute or other organization, separately incorporated but affiliated with the institution, which either actually conducts the research or merely administers it for the institution;
>
> (3) the patent management agency or agencies utilized by the institution under a patent development agreement, and
>
> (4) whether the equities of inventors in their inventions are recognized and the extent to which they share in any revenue derived from the sale or exploitation of patents obtained on their inventions.

The information so presented has in each instance been submitted to and confirmed by the president or other responsible official of the institution concerned as an accurate factual representation of the current situation at the institution as of July 1962.

As used in this monograph, the term "formalized research and patent policy" refers only to an established definitive course of action, formulated and expressed in a systematic statement, which has been adopted by the board of control, state legislature or other appropriate governing body of the institution. The term "general practice" is used when a more or less definitive practice is generally accepted as applicable to the handling of research at the institution and the patentable results of such research but has not been formally adopted in the manner indicated above.

For convenience of reference the 349 institutional statements included in this chapter are arranged in alphabetical order of the institutions within their respective states.

Alabama

AUBURN UNIVERSITY

Auburn, Alabama

Formalized research and patent policy, originally adopted 26 October 1945 by the Auburn Research Foundation and revised 16 October 1951 by the Board of Directors of the Foundation; applicable on a university-wide basis, including research conducted by or under the auspices of the Auburn Research Foundation, a separately incorporated but affiliated nonprofit research and patent management organization established 30 November 1944, which utilizes the staff and facilities of the University (formerly Alabama Polytechnic Institute):

> 1. Patents which may develop from departmental research carried on by one or more faculty members which has met with the approval of the head of the department and/or the dean of the school and which was initiated for the purpose of the professional advancement of the faculty and the department and to which neither the Alabama Polytechnic Institute nor the Foundation has subscribed a substantial amount of time, space or funds; such patents will become the property of the inventor or inventors. The right of ownership includes the right to sell, assign or otherwise dispose of these rights.
>
> 2. Patents which may develop from research as described above but which may have been aided by funds obtained from some source outside Alabama Polytechnic Institute or the Foundation, such as grants by a professional society, a philanthropic or industrial organization, etc., such patents will become the property of the inventor or inventors with all the rights as described above, subject to the patent agreement executed in connection with the grant.
>
> 3. Patents obtained under sections 1 and 2 above may be assigned to the Auburn Research Foundation.
>
> 4. Patents which may develop from research financed wholly or in part by the Alabama Agricultural Experiment Station, the Engineering Experiment Station and any other branch of the Alabama Polytechnic Institute or research sponsored and financed by the Auburn Research Foundation are to be assigned to the Auburn Research Foundation. The Auburn Research Foundation will pay the cost of obtaining such patents. If the Foundation has not filed claim for a patent within the period of one year from the date a written report describing the patentable invention was presented to its Board of Directors, all patent rights on said invention revert to the inventor or inventors. Faculty members of Alabama Polytechnic Institute and others whose research is wholly or in part supported by the Auburn Research Foundation may be asked to sign an agreement with the Foundation whereby the above may be put in force.
>
> 5. The Auburn Research Foundation will apply for patents for members of the faculty, members of experiment station staffs and others under the conditions set forth below:
>
> > a. Any action will be at the discretion of the Board of Directors of the Auburn Research Foundation.

b. A written agreement between the inventor and the Foundation will be executed assigning the patent to the Foundation before the Foundation makes formal application for the patent.

c. The Foundation will bear all expense in obtaining the patent and in any subsequent legal action which the Foundation may deem advisable to protect the patent.

d. The Foundation will pay to the inventor or inventors a minimum of 15% of the profits from said patent, after all expenses have been paid. Provided, however, the Board of Directors of the Auburn Research Foundation may, at its discretion, grant additional amounts in excess of the 15% to an inventor or inventors whose invention, in the opinion of the Board, appears to warrant additional compensation.

6. Any profits accruing from the ownership of patents by the Auburn Research Foundation will be used in aiding and/or initiating research in the Alabama Polytechnic Institute as set forth in the charter of the Auburn Research Foundation.

7. The action of the Board of Directors of the Auburn Research Foundation in making grants to members of the faculty or departments for research purposes is not to be based on the expected development of a patentable idea from such research.

Patent management agency: the Auburn Research Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the inventor receives a minimum of 15% of the net profits derived from the sale or exploitation of patents obtained on his invention.

HOWARD COLLEGE

Birmingham, Alabama

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude; no experience with patents and no occasion to formulate a policy; members of the staff have been and are free to proceed privately and individually in protecting inventions and other products of their research. No patent management agency; if necessary, patents would be held and administered by the Board of Trustees of the College.

SPRING HILL COLLEGE

Mobile, Alabama

No formalized research and patent policy; as a general practice each situation is handled on an individual basis in accordance with a tentative research policy adopted 13 May 1960 by the President and Faculty and administered by a Faculty Committee on Research. No patent management agency but, when and if the need arises, the College intends to ask Research Corporation to administer patent rights.

TUSKEGEE INSTITUTE

Tuskegee Institute, Alabama

No formalized research or patent policy; as a general practice each situation is handled on an individual basis through the Vice President of the Institute; applicable to all research at the Institute, including sponsored research conducted by or under the auspices of the George Washington Carver Foundation, a separately incorporated nonprofit research organization established 10 February 1940, which operates as a unit of the Institute for organized research in the natural sciences and which utilizes the staff and facilities of the Institute. No patent management agency.

UNIVERSITY OF ALABAMA

University, Alabama

Formalized research and patent policy, recommended by the University Research Committee and the University Patents Committee to the President of the University in 1945 and approved by him for the University, although currently under study with a view to its revision; applicable on a university-wide basis, including the University Medical Center in Birmingham:

> (1) In the event that any member of the faculty makes an invention which is capable of protection under the patent laws, the invention shall be the property of the inventor, unless the University has made a substantial contribution in time, money or facilities to the production of such an invention.
>
> (2) If the University makes a substantial contribution in time, money or facilities to the production of any patentable invention made by a member of the faculty, the invention shall be the property of the University. The University will, however, assign to the inventor a percentage of the net profits which it may derive from the sale or exploitation of such invention.
>
> (3) If the University makes a contribution of $200 or less in money to the production of any patentable invention made by a member of the faculty, the invention shall be the property of the inventor. But the inventor shall be under an obligation to reimburse the University for such contribution if the inventor derives sufficient profits from the invention to do so. Any contribution, in money, in excess of $200 shall be considered a substantial contribution within the provisions of (2) above.
>
> (4) In the event that any person is expressly employed for the purpose of devoting all or a specific part of his time to research, any patentable invention made by such person in the performance of his duties for the University shall be the property of the University. In such a case the procedure of (2) above shall apply.
>
> (5) If a patentable invention is made by a member of the faculty and substantial contributions are made to the production of the invention by both the University and some person or firm not connected with the University, the ownership of the patent and the inventor's rights shall be the subject of special agreement.
>
> (6) If a patentable invention is made by a student who is not employed by the University, the invention shall be the property of the student.

No patent management agency other than the University Board of Trustees; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a percentage of the net profits which the University derives from the sale or exploitation of the invention.

Alaska

UNIVERSITY OF ALASKA

College, Alaska

No formalized research or patent policy, but a proposed policy has been formulated by a Committee on Patent and Copyright Policies for submission to the Board of Regents of the University; at present the University is operating under the general practice that each situation will be considered on an individual basis. No patent management agency, although the University would probably utilize the facilities of Research Corporation; the equities of inventors in their inventions are recognized and the inventor receives a share, ordinarily approximately 15%, of the gross income derived from the sale or exploitation of patents obtained on his invention, as determined by the Committee on Patent and Copyright Policies.

Arizona

ARIZONA STATE COLLEGE

Flagstaff, Arizona

Formalized research and patent policy, adopted 2 December 1960 by the Board of Regents of the Universities and State College and based upon the policy originally adopted 15 April 1939 by the Board of Regents for the University of Arizona and revised 14 February 1962 (see University of Arizona below for policy statement) ; applicable on a college-wide basis.

Patent management agency: Research Corporation, both for the College and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of patents obtained on the invention.

ARIZONA STATE UNIVERSITY

Tempe, Arizona

Formalized research and patent policy, adopted 2 December 1960 by the Board of Regents of the Universities and State College and based upon the policy originally adopted 15 April 1939 by the Board of Regents for the University of Arizona and revised 14 February 1962 (see University of Arizona below for policy statement) , with appropriate references to Arizona State University and deletion of references to the Arizona Research Foundation, the University of Arizona Foundation and the Battelle Development Corporation in paragraphs 4 (c) and 8; applicable on a university-wide basis.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a percentage of the gross income derived from the sale or exploitation of patents obtained on the invention.

UNIVERSITY OF ARIZONA

Tucson, Arizona

Formalized research and patent policy, originally adopted 15 April 1939 and revised 14 February 1962 by the Board of Regents of the Universities and State College of Arizona; applicable on a university-wide basis:

1. A Fund for the Promotion of Research shall be established by the Board of Regents of the University. In it shall be deposited all monies received by the University from financially profitable patents for inventions made by members of its faculty, staff, other employees, students on assistantships or fellowships, or who receive grants or are otherwise employed by the University, and such other members of its student body who elect to be bound by the University Patent Policy, as provided herewith.

2. A Patent Committee of the Faculty to consist of five persons shall be appointed by the President. The Patent Committee shall consider proposed changes in the Patent Policy of the University and make its recommendations in regard thereto to the President through the Coordinator of Research. The Patent Committee may initiate recommendations concerning changes in the Patent Policy. The Patent Policy of the University applies to both domestic and foreign patents. This Patent Policy shall not apply where University personnel have conceived and/or developed inventions for employers other than The University of Arizona where such employment is permitted by the policies of the University.

3. Another committee to consist of three persons appointed by the President shall be created to consider and recommend to the President grants of money in support of research on the campus and the creation of research fellowships, both to be financed from the Fund for the Promotion of Research.

4. (a) All disclosures of inventions by members of the faculty, staff, students on assistantships or fellowships, or who receive grants, or are otherwise employed by the University, and other employees of the University will be submitted to the Coordinator of Research through the Head of Department and Dean of the College or Administrative Officer concerned. In forwarding the invention to the Coordinator of Research, the Head of Department and Dean or Administrative Officer, as applicable, will state in writing their opinions as to whether or not the invention is meritorious and possibly new and may, in their opinions, be commercially valuable. The Head of Department and Dean or Administrative Officer concerned will also forward to the Coordinator of Research a written statement as to whether the inventor conceived and/or developed the invention as a result of full time work for which he was paid by the University, or whether the inventor conceived and/or developed the invention partly as a result of work for which he was paid by the University and partly on his own time, or whether the inventor conceived and/or developed the invention solely on his own time.

(b) The Coordinator of Research will determine whether the invention was conceived and/or developed wholly or partly on University time or solely on the inventor's own time.

(c) The Coordinator of Research will forward the invention to the Arizona Research Foundation, the University of Arizona Foundation, the Battelle Development Corporation, the Research Corporation of New York or other authorized organizations, as selected by the inventor; or if the President of the University considers that the idea is of insufficient value for consideration, he may release any University interest in the idea to the inventor.

(d) If the organization selected by the inventor accepts the disclosure of invention for patent processing, the inventor will assign all his rights therein to the applicable organization which will pay for the cost associated with processing of the patent, and if a patent is granted will pay the costs of defending or prosecuting infringements suits and the expense of marketing the invention.

5. The organization to which the invention is assigned will pay to the inventor a fixed percentage of the gross or net receipts not to exceed the maximum percentage provided for such payments in the agreement between that organization and the University. The University will determine the percentage to be paid to the inventor in the following manner:

(a) The inventor who conceives and/or develops an invention as the result of work for which he is paid by the University will receive one-half the maximum percentage provided for such payments in the agreement between the organization to which the patent is assigned and the University.

(b) The inventor who conceives and/or develops an invention partly as the result of work for which he is paid by the University and partly on his own time will receive three-fourths the maximum percentage provided for such payments in the agreement between the organization to which the patent is assigned and the University.

(c) The inventor who conceives and/or develops an invention solely on his own time will receive the maximum percentage provided for such payments in the agreement between the organization to which the patent is assigned and the University.

6. If the organization selected by the inventor to process the invention fails to accept the invention, then the invention may at the option of the University be submitted to any of the other applicable organizations or released to the inventor. The decision as to whether the invention should be submitted to any of the other organizations or released to the inventor shall be made by the Coordinator of Research, who may request the advice of any administrative officer, faculty or staff member or other employee to aid him in reaching his decision. If any organization accepts the invention the inventor will assign the invention to that organization. If the invention is released to the inventor, the inventor shall be free to handle it as seems best to him.

7. Should some person, group of persons, firm or organization pay in whole or in part for the investigation of some problem at the University, and should an invention be developed as a result of such a cooperative enterprise, then the ownership of the patent shall be determined by the terms of the agreement entered into between the University and such cooperating person, group of persons, firm or organization.

8. Except as to a student who is also either a full or part time employee, no student who conceives and/or develops an invention shall be required to submit his invention to the Coordinator of Research or allow the Arizona Research Foundation, University of Arizona Foundation, Battelle Development Corporation, Research Corporation of New York, or any other authorized organization to apply for a patent on it and commercialize the patent. If, however, such a student does desire to take advantage of the facilities herein outlined, he may do so, in which event the University will recommend that the percentage of the gross or net receipts to be paid to such student inventor be the maximum amount provided for payments to the inventor in the agreement between the University and the organization to which the invention is assigned.

9. In making any of the decisions required by this statement of Patent Policy,

> the Coordinator of Research may request the advice of any administrative officer, faculty or staff member, or other employee to aid him in reaching his decision.
>
> 10. Every member of the University of Arizona faculty or staff, other employees of the University and students on assistantships, fellowships, or who receive grants or are otherwise employed by the University shall as a condition of his or her employment, assistantship, fellowship or grant be bound by this statement of University of Arizona Patent Policy.

Patent management agency: Arizona Research Foundation, an independent nonprofit corporation established in November 1958, University of Arizona Foundation, an affiliated nonprofit corporation established in June 1958, Battelle Development Corporation, Research Corporation or other authorized organizations, as selected by the inventor; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, as provided in the patent development agreement with the organization selected, the inventor receives a specified percentage of the income derived from the sale or exploitation of patents obtained on his invention.

Arkansas

ARKANSAS AGRICULTURAL AND MECHANICAL COLLEGE

College Heights, Arkansas

No formalized research or patent policy; the College encourages faculty research but as a general practice observes a laissez-faire attitude with respect to discoveries, inventions and patents. No patent management agency.

COLLEGE OF THE OZARKS

Clarksville, Arkansas

No formalized research or patent policy; the College has no organized research program and as a general practice observes a laissez-faire attitude. No patent management agency.

HARDING COLLEGE

Searcy, Arkansas

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research projects are handled individually by faculty members subject to the approval of the President and Dean of the College. No patent management agency.

UNIVERSITY OF ARKANSAS

Fayetteville, Arkansas

Formalized research and patent policy, adopted 11 June 1945 by the Board of Trustees of the University and incorporated as sections 31-32 of the Regulations of the University; contractual research is administratively supervised by the Research Coordinator; applicable on a university-wide basis:

> The University of Arkansas has a responsibility to the people of the state for discoveries made by staff members while engaged in research work as a regular part of their University duties, which discoveries may have commercial application and should be patented in the interest of the public, the income from which should be used for the promotion of further research.
>
> The following general policy with regard to any devices, formulas and/or processes discovered or developed by staff members in their general field of University employment with the use of University facilities and funds has been established:
>
> 1. Any invention, formula and/or process developed or discovered by a staff member in the course of his regular duties shall be controlled by the University.
>
> 2. An equitable division of royalties on profits derived from the sale or license of an invention, formula or process patented at University expense will be made by the University Committee on Patents.
>
> 3. The Trustees hereby authorize the establishment of a faculty committee on University patents.
>
> 4. Funds may be appropriated as required for financing the work of this committee.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of the inventor in his invention are recognized and, in accordance with the patent development agreement with Research Corporation, the inventor will, on recommendation of the University Committee on Patents, receive an equitable share of the income derived from the sale or exploitation of patents obtained on his invention.

California

CALIFORNIA COLLEGE OF MEDICINE

Los Angeles 31, California

No formalized research or patent policy, although the formulation of such a policy is currently under study by the Research Committee; as a general practice each case is at present handled on an individual basis. No patent management agency.

CALIFORNIA INSTITUTE OF TECHNOLOGY

Pasadena, California

Formalized patent policy, adopted 1 May 1945 by the Faculty and approved 2 July 1945 by the Board of Trustees of the Institute, as a result of many discussions by the Trustees, of a study made by a Committee on Patents appointed by the Trustees, of discussions with the Faculty Committee on Patents and of a careful study of reports made by the Committee; applicable on an institute-wide basis:

> 1. Certain of the inventions which may be made by employees in line of duty or with the use of Institute facilities should be patented in order to protect the Institute and the public. These patents are to be assigned to the Institute and all costs involved in obtaining the patents borne by the Institute.

2. In general, it is the policy of the Institute that no revenue in excess of administrative costs should be received from patents or inventions made by employees in line of duty or with Institute facilities, but it is recognized that such a policy if rigidly adhered to may be too limiting on the activities of the Institute and employees. In each case where this policy is deviated from, the inventor will then receive from the Institute 15% of the gross sum of money which has accrued or shall thereafter accrue to the Institute from his patent.

3. In order to make the above policy effective and uniform in its application, the Trustees request all members of the staff of research and instruction to sign a patent agreement assigning their rights to patents and inventions which they may make in line of duty or with Institute facilities to the Institute or its nominee. Such an agreement is required of all new employees.

4. Employees who elect to work on governmental or industrial projects undertaken by the Institute are required to sign such supplemental agreements as are necessary to enable the Institute to fulfill its contractual obligations in regard to patents.

5. All employees are to immediately report to the Institute any idea or discovery which they believe to be of a patentable nature and which arises in line of duty or as the result of the use of Institute facilities; this obligation shall in no way interfere with the prompt publication of research results.
It is not intended that the research staff should be burdened by having constantly to scrutinize research results for minor patentable features. However, inventions of obvious social or commercial value should be reported promptly in order to obtain the desired protection.

6. Inventions and discoveries made by an employee in his own time and without the aid of Institute facilities are the sole property of the inventor.

   (1) Patents from such inventions should be administered so as not to involve the Institute name or to discredit the Institute.

   (2) Time spent in administering such patents should conform to the Institute policy on outside activities by staff members.

   (3) In general faculty members should not patent such inventions which are in the specific field of an Institute research program without permission of the Institute.

7. Patent licenses granted by the Institute are by policy nonexclusive. In some cases involving high developmental expenditures by the licensee, or for other special reasons, an exclusive license may be given subject to a suitable cancellation clause.

8. It is the policy of the Institute that the sponsors of research work done by the Institute not receive any patents as a result of this work. When this is deemed impractical, the Contract Administrator, Office of the Vice President for Business Affairs, will obtain approval from the Faculty Committee on Patents for granting of patent rights to the sponsors; if patents are assigned to the sponsors they shall be required by contract to license others under these patents on the basis of reasonable royalties and terms.

9. A committee selected by the Faculty is charged with the following responsibilities:

   (1) Recommending what inventions should be patented by the Institute.

   (2) Adjudicating uncertain cases such as those involving "line of duty" versus "own time" inventions.

   (3) Making recommendations in regard to patent provisions in industrial contracts.

(4) Acting in an advisory capacity with regard to patents owned by the Institute.

10. Any proposal to deviate from the general policy as expressed in Article 2 above shall be referred to the Faculty Committee on Patents for recommendation.

In order to make this policy effective and uniform in its application, all members of the research and instruction staff are required to sign the following patent agreement, assigning to the Institute or its nominee their rights to such inventions and patents thereon:

> Whereas the California Institute of Technology, a California corporation hereinafter referred to as the Institute, has certain responsibilities to see that inventions made at the Institute be administered for the best interests of the public and in such a way as to avoid cause for criticism of the Institute and to meet wih the Institute's contractual obligations to others, and in view of the patent policy of the Institute as in force at this date and as it may from time to time be amended by the Board of Trustees with the approval of the Faculty, and in consideration of the subscribing thereto by other members of the Faculty or staff, I hereby agree as follows:
>
> I will notify the Institute promptly of any inventions which I believe to be patentable and which are made in the course of my duty at the Institute, or with the use of Institute facilities. At the request of the Institute, I agree to assign to the Institute or its nominee all patent rights in the United States or foreign countries to inventions made in the course of duty or with Institute facilities. I further agree to supply all information and to execute all papers necessary for the purpose of prosecuting patent applications. Expenses for such patent applications shall be borne entirely by the Institute or its nominee. However, the Institute reserves the right to abandon the prosecution of any patent application. Furthermore, I agree to disclose promptly and fully to the Institute all matters, whether patentable or not, that I may, solely or jointly with others, develop wholly or partly in the course of any work in which I may engage covered by any Government or industrial contract. If called upon, I agree to execute all rightful documents and supply all information which the Institute, on behalf of itself or its nominee, deems necessary or helpful in order to perform its obligations under any contract.
>
> It is understood as a part of this agreement that if the Institute receives funds in excess of administrative costs from patents on inventions assigned to it by me pursuant to this agreement I shall share in these funds according to the established and announced policy in force at this date.

A Faculty Committee on Sponsored Research passes on the scientific merits of all contract research proposals before they are submitted to the sponsoring agency, to make sure that the Institute does not undertake contract activities which are not in the nature of basic research or are not appropriate to the Institute's policies, facilities and personnel; a Contract Administrator in the Office of the Vice-President for Business Affairs of the Institute examines each contract before it is signed, to see that the legal, financial and patent provisions have been properly stated in line with Institute policy.

Patent management agency: the California Institute Research Foundation, a separately incorporated nonprofit organization established 17 October 1940 to handle patents and inventions for the benefit of the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when the Institute or its nominee receives funds in excess of administrative costs from patents on assigned inventions, the inventor receives 15% of the gross income derived from the sale or exploitation of patents on an invention assigned to the Institute.

CHAPMAN COLLEGE

Orange, California

Formalized research and patent policy, adopted 9 June 1939 by the Executive Committee of the Board of Trustees of the College; applicable on a college-wide basis:

> All patents developed as the result of institutionally supported research become the property of the College. The intent of this is that patents thus developed on the work schedule program of all salaried employees become the institutional property. Patents developed in institutional facilities but under the financial support of an outside agency become jointly the property of the institution and the supporting agency. Patents otherwise developed become the property of the individual on whose time the patent is put into operation.

No patent management agency other than the Board of Trustees of the College.

HARVEY MUDD COLLEGE

Claremont, California

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; at present the College, which is a constituent member of The Associated Colleges at Claremont, handles each situation on an individual basis. No patent management agency, but consideration is being given to enter into a patent development agreement with Research Corporation.

LOMA LINDA UNIVERSITY

Loma Linda, California

Formalized research and patent policy, adopted 21 May 1956 by the Board of Trustees of the University (formerly the College of Medical Evangelists); applicable on a university-wide basis to faculty members, employees and students on both the Loma Linda and Los Angeles campuses:

> 1. Medical and dental ethics which prohibit physicians and dentists from realizing any direct or indirect material return from the manufacture, sale or distribution of any product for which the patient pays, or which is used as a therapeutic device or health aid, or which in any manner affects public health shall be the governing principle to the faculty member, the employee or student of the University who has a patentable idea of possible value to medicine.
>
> 2. Processing of patentable ideas (medical or nonmedical):
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> a. If the faculty member, employee or student develops an idea on the campus with the use of the University facilities and on University time, the Committee for Academic Affairs shall decide whether it wishes to process the idea. If the Committee does not choose to process the idea within three months, the faculty member, employee or student may develop it as he chooses within the ethical context described in 1 above.
>
> b. If the faculty member, employee or student develops an idea on his own time, he may offer it to the Committee for Academic Affairs for processing.

No patent management agency other than the Board of Trustees of the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, within the limitations of medical and dental ethics and, when an invention is assigned to the University, the inventor may receive a share, as determined by the Committee for Academic Affairs, of the net income derived from the sale or exploitation of any patents obtained on the invention.

LOS ANGELES COLLEGE OF OPTOMETRY

Los Angeles 7, California

No formalized research or patent policy; faculty members supervise and conduct individual research projects by arrangements with the administration and as funds permit. No patent management agency; the College administration is authorized to file whatever patent applications it sees fit, upon recommendation of the Faculty Research Committee.

LOYOLA UNIVERSITY OF LOS ANGELES

Los Angeles 45, California

Formalized research and patent policy, adopted 7 June 1960 by the Academic Council of the University and contained in the statement of policies and procedures of the Committee on Research which is responsible for the coordination of all research activities at the University; applicable on a university-wide basis:

> 1. In the case of research which is sponsored by the Committee on Research or unsponsored, but supported by some department of the University, any discovery must be reported to the University officials concerned. If the University does not notify the discoverer within 60 days of its intent to secure its legal rights to profit, the discoverer may then proceed in accordance with his own desires and will enjoy complete possession of any of the fruits of discovery.
>
> 2. When the University supports a research project by bearing all of the cost, the inventor will receive 15% of the gross returns from any invention which results and the University and any agents which it may employ for purposes of patent management will retain 85% of the gross returns and will pay all costs of patenting and management. At the discretion of the Committee on Research the inventor may, in special cases, receive more or less than 15% of the gross return from an invention.
>
> 3. In case part of the cost of the research is borne by the University and part by some external agency, agreement should be made in advance as to the disposal of all fruits of the investigation and the manner of disposal. Discoveries of possible financial gains, other than patents, should be given disposal in a manner to conform to the policies recommended for the handling of patentable material.
>
> 4. The discovery of commercially valuable information in a research investigation, the cost of which is borne by an outside agency, will be promptly and fully reported to the sponsor by the research director of that project. The University authorities should have no responsibility in this connection, except in the case of dereliction of duty. It thereafter becomes the right of the sponsor to proceed to secure any rights.

5. In accepting a grant from industry for the purpose of research, it is the general policy of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not for the specific development in which the sponsor may be interested. If the University accepts a grant from an industrial corporation for the purpose of research in conformity with the general policy, it shall be with the written understanding that, should an invention result from this research, the University and the inventor handle the invention according to the procedures of sections 8-11 below.

6. All rights to copyrightable material shall be reserved to the author. The distribution of the royalties, if any, is a matter of arrangement between the author and his publishers or licensees. Exception to this rule may occur in the case where the University has employed personnel to produce specific materials.

7. These statements of policy shall apply to holders of University scholarships or fellowships and all other graduate students.

8. If a member of the University other than those excluded by the nature of their research grant desires to obtain a patent on his own responsibility, he may do so whether he has consulted the Committee on Research or not, but he shall advise the Committee of his intention at the time of his patent application and shall furnish to the Committee a copy of the patent when issued. The Committee when advised of his intention may raise the question of whether the University has an equity in the proceeds of the invention because of the use of its facilities. In such event the determination of the character and amount of the University equity in such invention will be settled in conference between the Committee and the member or members of the University concerned. It is expected that the same procedure will be followed in connection with any other question arising out of patent policy.

9. When a member of the University in the course of his University activities makes a discovery that may lead to an invention he should report the matter to the University officials concerned according to section 1 above. If the University does not notify the discoverer of its intent within 60 days or if the University relinquishes all rights to the inventor, then he may proceed in accordance with his own desires. However, if the inventor so desires he may have the patent process handled under the procedure prescribed in section 10 below.

10. When the question of patenting a particular invention is brought before the Committee, the Committee will decide upon the advisability of patenting according to the University policy. If the Committee reaches a negative conclusion it will turn the matter back to the inventor to do as he sees fit. If the Committee reaches a positive conclusion it will refer the matter to a patent attorney to carry out the necessary negotiations. In accord with paragraph 2 of this statement the inventor will normally receive 15% of the gross income derived from the sale or exploitation of the invention.

11. If an outside sponsor proposes a procedure at variance with that outlined above, the University will authorize the Committee on Research to discuss such alternate procedures with the sponsor and staff member involved in an effort to arrive at an agreement which will not violate the policies of sections 1-7 above and which will protect the equity of all parties involved.

No patent management agency except as arranged in a specific case by the Committee on Research; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a share, normally 15%, of the gross income derived from the sale or exploitation of the invention.

NORTHROP INSTITUTE OF TECHNOLOGY

Inglewood 1, California

No formalized research or patent policy; as a general practice each situation is handled on an individual basis in what is considered to be the fairest and most expedient manner. No patent management agency.

OCCIDENTAL COLLEGE

Los Angeles 41, California

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. Patent management agency: Research Corporation, both for the College and for inventors by voluntary assignment of their inventions; when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

PASADENA COLLEGE

Pasadena 7, California

No formalized research or patent policy, although the formulation of a policy is currently under study by a committee; as a general practice each situation is at present considered on an individual basis; all sponsored research is handled through the chairman of the division of natural sciences. No patent management agency.

STANFORD UNIVERSITY

Stanford, California

Formalized research and patent policy, adopted 20 February 1958 by the Board of Trustees of the University, replacing an earlier policy adopted 16 June 1938 and revised 19 October 1939; applicable on a university-wide basis to faculty members only; as a general practice all rights to inventions made by non-faculty employees assigned to research projects belong to the University and each such employee is required to execute a patent waiver agreement; overall administration of sponsored research and primary responsibility for patent matters within the University are centered in a Research Administrator in the Office of the Controller:

> University policy is to retain patent rights either for the inventor or for itself, and most contracts and grants for sponsored research permit this policy. Research contracts and grants usually contain a clause defining the patent rights of the University with regard to patentable inventions discovered in the course of sponsored research. Under government contracts and grants, Stanford's obligation normally consists of granting a nonexclusive royalty-free license to the Government. In certain instances, as in AEC contracts, the Government requires transfer of the entire title. Industrial contracts and grants vary and Stanford occasionally has had to give up patent rights on these. So that the University may fulfill its contractual obligations, each faculty member, employee and student involved in research is asked to execute a patent rights agreement.

Faculty members. A faculty member is permitted to keep all rights to inventions he may make except in cases where other arrangements are required by a contract or grant for sponsored research. Each faculty member executes an agreement to grant appropriate license to the sponsor, or if the sponsor requires, to grant the entire right, title and interest to the sponsor. Normally, the faculty member retains patent rights or assigns his rights to the University. It is the University's wish that a faculty member be prepared to make inventions to which he holds patent rights available to the public on a nonexclusive basis.

Non-faculty employees. It is presumed that all rights to inventions by non-faculty employees assigned to research projects belong to the University. Each employee working on a research project is required to execute an agreement to assign to the University his entire right, title and interest in and to any invention arising out of his work on a research project. The University may waive its rights with respect to a particular invention, subject only to obligations to the sponsor. In practice, personnel at the level of research associate and above have patent rights equivalent to those held by faculty members. Personnel at the research assistant level or below do not have patent rights except by specific waiver. A student who receives compensation for his work on a research project is considered a non-faculty employee in the determination of his patent rights.

Students who are not employees. In the case of students who receive no salary but who make use of special research facilities, such as facilities used for research on Government contracts, an assignment of rights to Stanford is required if the University is under obligation to a research sponsor regarding patent rights. Exceptions must be by specific waiver. Students who do not use special facilities are entitled to full patent rights. In this case, students may desire to assign an invention to the University for investigation of patentability and exploitation. Stanford, at its option, may accept an assignment in which case the inventor is entitled to the same payment as faculty inventors who voluntarily assign patent rights to Stanford.

Patent management agencies: Research Corporation, both for the University and for inventors who may voluntarily assign their inventions, and the Research Administrator, acting for the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or the University, the inventor receives a share of any income derived from the sale or exploitation of patents obtained on his invention.

UNIVERSITY OF CALIFORNIA

Berkeley 4, California

Formalized research and patent policy, originally adopted 28 May 1943 and revised 27 March 1953 by the Regents of the University and stated in University Regulation No. 23; applicable to all members of the faculties and other employees at all locations of the University, in Berkeley, Davis, Irvine, Los Angeles, Riverside, San Diego, San Francisco, Santa Barbara and Santa Cruz:

1. All matters relating to patents in which the University of California is in any way concerned shall be administered by an agency known as the University of California Board of Patents.

2. The Board of Patents shall be appointed by the Regents. It shall have full power of organization, subject to the provision that it meet at least once each

year; and the members shall serve without extra compensation at the pleasure of the Regents.

The Board shall consist of nine persons selected from the faculties, the administration of the University and such other groups as the Regents may determine, but of this number the chairmen of the Committees on Research, Northern and Southern Sections of the Academic Senate, shall be ex officio members. The Board shall be instructed to provide upon organization, for the discharge of members thereof at the termination of staggered terms of service, without prejudice, however, to the right of retiring members to accept reappointment.

3. Subject to the approval of the Regents, the following powers and duties shall be exercised by the Patent Board:

a. To appoint a committee of experts to examine the merits of each potentially patentable invention that may be submitted to it or that may come to its attention and to cause such committee to report its findings to the Board.

b. To report and recommend to the Regents each action to be taken by the Patent Board.

c. To determine the relative equities or rights held by the inventor and the Regents or by a cooperating agency, if any, and to reach an agreement among all parties concerned with respect to such equities, including the proper distribution of royalties. It is recognized that when the Regents, or a cooperating agency, as well as the inventor, are found to possess rights in an invention the respective equities or rights shall be determined in the light of conditions leading to the invention, the amount of income that reasonably may be expected therefrom and the services assumed by the University in obtaining and administering the patent.

d. To execute, through the appropriate University officer or officers, all documents necessary to define the rights agreed upon by the Board, a cooperating agency, if any, and the inventor or discoverer.

e. To recommend, for inventions in which the University may have an equity or in which the Board has been asked to act for the inventor, whether the Regents shall have such inventions patented at their expense or release them entirely to the inventor for whatever independent action he may care to take.

f. To retain patent counsel, in association with the University Attorney, for matters pertaining to the filing of patent applications approved by the Regents, the prosecution thereof and the litigation that may arise therefrom.

g. To negotiate through the appropriate University officer for licensing and other agreements covering the manufacture and sale of patented articles or processes resulting from patents or inventions submitted to it in which the Regents have an equity and to arrange for and direct the collection of royalties and the distribution thereof to those entitled thereto.

h. To obtain from cooperating agencies agreements concerning patent rights to inventions or discoveries made as a result of research carried on under special grants.

i. In its consideration of matters relating to each particular patent case or situation the Patent Board will take into consideration principles laid down in the patent laws and in the court decisions of the United States.

4. Those University employees who are employed under research contracts, grants in aid or service to industry agreements or special state appropriations covering specific activities shall make such assignment of patents as is necessary in each

specific case in order that the University may discharge its obligations, expressed or implied, under the particular agreement.

Those University employees who are engaged for the express and exclusive purpose of design, development or research in a project or other administrative unit designated by the President or his authorized representative to be of such a nature may be required to assign to the University all patents resulting from their given duties. Since this general requirement to assign patents constitutes an important element in the conditions of employment it should not be imposed without full discussion between the department chairman and the proper higher administrative officer.

5. Except in cases of contracts or other agreements covered by the provisions of the foregoing section 4, the assignment of patents shall be optional for all employees including (a) those engaged for the combined purposes of teaching and research, such as professors of the various grades, instructors, lecturers and others of equivalent rank, including those holding clinical titles; (b) others engaged solely for teaching, such as those holding appointments only in a summer session or university extension; and (c) others not specified above, such as those engaged for administrative, clerical or maintenance purposes.

6. Members of the faculties and employees shall advise the Board of Patents with regard to any item for which a patent is sought and which has been developed in the course of their work or through the use of University facilities. If a patent issues, a shop right shall be granted by the inventor to the Regents at their request.

7. The foregoing statements of policy apply also to copyrights of motion pictures made through direct financial support of the University.

8. The Regents are averse to seeking protective patents and will not seek such patents unless the discoverer or inventor can demonstrate that the securing of the patent is vital to the University's good name and that no other agency exists to guard the public welfare.

9. The following regulations govern the distribution of royalties that may be earned on inventions assigned to and accepted by the University:

a. Upon the assignment of a patent right to the Regents by a University faculty member or employee, the Regents agree, for and in consideration of said assignment, to pay to the inventor, his heirs, successors and assigns, royalties based on the royalty distribution schedule then in effect.

b. The royalty schedule now in effect provides: (1) until such time as the total gross royalties do not exceed $10,000, 25% shall be paid to the inventor; (2) on total gross royalties which exceed the sum of $10,000 and do not exceed the sum of $25,000, 20% thereof shall be paid to the inventor; (3) on total gross royalties which exceed the sum of $25,000 and do not exceed the sum of $50,000, 15% thereof shall be paid to the inventor; (4) on total gross royalties which exceed the sum of $50,000 and do not exceed the sum of $100,000, 10% thereof shall be paid to the inventor; and (5) on total gross royalties in excess of $100,000, 5% thereof shall be paid to the inventor.

10. In the disposition of any net income accruing to the Regents from patents in which the University has an interest, first consideration will be given to promotion of research.

Patent management agency: the University of California Board of Patents, acting for the Regents of the University; as indicated in the policy statement above, the equities of the inventor in his invention are recognized and, when an invention is assigned to the Regents of the University, agreement is made with the inventor with respect to the distribution of royalties.

UNIVERSITY OF THE PACIFIC

Stockton 4, California

No formalized research or patent policy; research and patent matters are coordinated through a Research Council and each situation is considered on an individual basis. No patent management agency other than the Board of Regents of the University, with the assistance of the Research Council; the equities of inventors in their inventions are recognized and, on the recommendation of the Research Council, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on an invention assigned to the University.

UNIVERSITY OF SAN FRANCISCO

San Francisco, California

No formalized research or patent policy, although a Research Committee is currently formulating such a policy; at present each situation is handled on an individual basis. No patent management agency.

UNIVERSITY OF SOUTHERN CALIFORNIA

Los Angeles 7, California

Formalized research and patent policy, adopted 5 June 1961 by the Board of Trustees of the University following previous approval by the University Senate and the President of the University; applicable on a university-wide basis to the faculty, staff and students:

> A basic function of the University is to contribute to knowledge and culture by creative activity in all academic areas, and to disseminate the results of such creative activity by the most appropriate and effective means. The securing of a patent, in certain circumstances, may be the most appropriate and effective means of disseminating the knowledge involved and it is the general policy of the University to encourage and support the production of such patents for the purpose of dissemination of knowledge.
>
> Some patents may also have economic value and their exploitation may result in financial gain. It is not a policy of the University to seek nor to encourage specifically the development of patents of commercial value or to engage in their exploitation. However, should such patents arise from the performance of normal duties and activities of University personnel, and in the absence of specific contractual obligations of the University, the following general patent policy shall apply.
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> University equity. The University shall have an equity in any patent obtained by any person if the development of the patent involved the substantial use of University facilities or funds. The payment of salaries, fellowships or scholarships, or the use of office and library facilities by the faculty, staff and students for the performance of normal duties and activities, shall not in itself constitute substantial support by the University for the purpose of establishing an equity.

It is difficult to define the equity of the University in quantitative terms since the circumstances of each invention may differ. In most instances the University's equity in a patented invention will be satisfied by the prestige accruing to the University as being the source of useful knowledge. In those instances where financial considerations require the precise determination of the relative equities of the University and the inventor, this determination shall be accomplished by the decision of a Patent Committee as defined below.

Procedures with respect to patents. To assist the inventor in the obtaining and/or in the exploitation of a patent, the University has entered into an agreement with Research Corporation which enables the inventor at his option to submit his invention to this corporation for their consideration. Should Research Corporation accept the invention for development and exploitation, then the procedures and relative equities, as are defined in the agreement, shall be in force.

If the inventor does not choose to apply to Research Corporation, or if Research Corporation does not accept the invention, the inventor may act as he sees fit provided that he does not prejudice the University's interest for his own advantage.

The Financial Affairs Committee and the Patent Committee. The Financial Affairs Committee shall advise the President of the University on matters of policy relating to patents and may make, through normal channels, specific recommendations to implement the general patent policy.

To deal with matters relating to a specific patent, a Patent Committee shall be appointed. The President shall appoint such a committee at the request of the inventor, or may do so on his own initiative. The Patent Committee shall consist of the inventor or his representative, a representative of the President, and a third member from the Faculty mutually agreed upon by the other two members.

Financial returns from patents. Should the University receive financial benefits from a patent in which it possesses an equity, the monies so received shall be devoted to the furtherance of research activities at the University. The department or school from which the patent emanated shall be the primary beneficiary of such funds.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 7% of the gross income derived from the sale or exploitation of any patents obtained on the invention; the University waives claim to the first $10,000 of gross return and to not less than 50% of any gross return beyond $10,000 from any invention in which it is determined by a Patent Committee to have an equity.

ADAMS STATE COLLEGE

Alamosa, Colorado

No formalized research and patent policy; as a general practice the College observes a laissez-faire or hands-off attitude and would be disposed to leave all patent rights to the inventor. No patent management agency.

COLORADO SCHOOL OF MINES

Golden, Colorado

Formalized research and patent policy, adopted 15 March 1962 by the Board of Trustees of the School; applicable on a school-wide basis to faculty and other professional personnel and graduate students employed by the School and the Colorado School of Mines Foundation, a separately incorporated nonprofit organization established 10 December 1948 to handle sponsored research and manage patents for the School:

> The Colorado School of Mines (hereinafter referred to as the School) recognizes that inventions and discoveries of mineral deposits may result from the advanced studies, researches and consulting work of the staff. As herein used, staff shall include faculty and other professional personnel and graduate students who are employed by the School or the Colorado School of Mines Foundation, Inc. To promote the professional improvement of the faculty as a whole and at the same time to protect the full rights of the inventor or discoverer, the School has the intent to provide an equitable means of sharing expenses and income with the inventor and a nonprofit patent management organization such as the Research Corporation, as described in a later section. The share of any income which may accrue to the School will be deposited in the Colorado School of Mines Foundation, Inc., for faculty improvement.
>
> All staff are encouraged to report, as a matter of record, inventions and mineral discoveries to the President of the School. Staff should discuss with their department heads during the early stages of their researches the probable extent of their use of School facilities and keep the School informed through the department heads of the general progress of their research programs, especially in cases where patents or discoveries of mineral deposits may result. The sections below outline rules and procedures to be followed by the staff when an invention or discovery of a mineral deposit is made.
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> 1. Policy for research supported and/or administered by the School or the Colorado School of Mines Foundation, Inc.
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> A. Patent agreements, other than the royalty-free clause found in federal government grants and contracts, proposed by sponsors must be reviewed by the President or a representative designated by him prior to final acceptance of the grant or contract. The patent policy in such grants or contracts, when approved by the School, will be honored by the School in any subsequent action which the School may take.
>
> B. When research is supported and/or administered by the School or the Colorado School of Mines Foundation, Inc., each staff member receiving financial support will sign an agreement that he will:
>
> (1) transmit to the President of the School complete information concerning (a) all inventions of a patentable nature which are the results of the re-

search supported by the grant or contract, and (b) the location, extent and type of each mineral deposit discovered as a result of the research supported by the grant or contract; and

(2) abide by the decision of the Board of Trustees of the School with regard to disposition of rights to the invention or mineral discovery.

C. When the President is notified of an invention or discovery of a mineral deposit, he may appoint a Patent and Discovery Committee (hereinafter called the P and D Committee) to consist of not less than five regular members of the faculty of the School.

The P and D Committee will (a) examine all available information concerning the invention or discovery of a mineral deposit, (b) confer with the staff member concerned, (c) call upon other faculty members for advice as needed, and (d) submit a recommendation of action to be taken to the President and the Board of Trustees of the School.

D. If the staff member disagrees with the recommendation of the P and D Committee, he may appeal to the President for a different course of action. Such an appeal will accompany the P and D Committee's recommendation.

E. If the Board of Trustees of the School decides that an attempt should be made to secure a patent on an invention, the School may submit the invention to a nonprofit patent management organization such as the Research Corporation for administration under the terms of a patent agreement. The inventor will receive at least 8% and not more than 15% of the gross income. The patent management organization and the Colorado School of Mines Foundation, Inc. will, after paying expenses, share equally in the balance of income from the patent.

F. Since patent management organizations do not normally administer mineral deposits, right to such deposits discovered as a result of research supported and/or administered by the School or the Colorado School of Mines Foundation, Inc., will be covered by individual agreements, wherein the discoverer will receive an amount equal to or greater than that received by the School or the Colorado School of Mines Foundation, Inc.

G. If no P and D Committee is appointed within a period of 90 days after disclosure of the invention or discovery to the President, or if the P and D Committee makes no definitive recommendations to the President within 60 days after appointment, the School or the Colorado School of Mines Foundation, Inc., shall be deemed to have waived all rights to the invention or discovery.

H. The School, recognizing that mineral discoveries resulting from work supported and/or administered by the School or the Colorado School of Mines Foundation, Inc. may be of little value without large investments from outside sources, may choose to release the discoverer from his obligations to the School.

I. If the Board of Trustees does not attempt to protect the invention or discovery in the appropriate way within 90 days after receipt of the P and D Committee report, it shall be deemed to have waived all rights to same.

2. Consulting work supported by outside agencies (funds not administered through the School or the Colorado School of Mines Foundation, Inc.)

A. Staff who (1) engage in consulting for outside agencies, including the Colorado School of Mines Research Foundation, and (2) are using funds not administered through the School or the Colorado School of Mines Foundation, Inc., must file with the Dean of Faculty a letter requesting permission to perform such work. Laboratories and equipment of the School are generally not available to the staff for consulting work. Unauthorized use of such facilities for consulting may be cause for subjecting the work to the rule of section 1-B.

> B. Patent rights for discoveries made during such approved consulting work are a matter to be decided between the staff member and the sponsoring agency. If the staff member wishes to employ the channels for patenting provided by the School and described in section 1, he will be required to sign a modified form of the agreement before the School will refer his invention to a nonprofit patent management organization such as Research Corporation.
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> 3. Policy for unsponsored staff research.
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> Unsponsored staff research is defined for the purposes of this document as research not supported by funds from the School, the Colorado School of Mines Foundation, Inc. or any outside group or agency. Staff engaging in unsponsored research may, with the permission of the department head or administration, utilize the School's facilities in the research study insofar as such use does not interfere with the normal educational program.
>
> Patents, inventions and/or mineral rights developed as a result of unsponsored studies and/or research by a staff member are considered to be the sole property of the inventor or discoverer. It shall be the responsibility of the staff member to review the extent of his use of the School's laboratories and equipment with his department head and the President at the time of application for a patent or at the time of revelation of a mineral discovery. If the staff member wishes to employ the channels for patenting provided by the School and described in section 1, he will be required to sign a modified form of the agreement before the School will refer his invention to a patent management organization.

Patent management agency: the Colorado School of Mines Foundation, which is currently considering a patent development agreement with Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions and discoveries of mineral deposits are recognized.

COLORADO STATE UNIVERSITY

Fort Collins, Colorado

Formalized research and patent policy, adopted 31 March 1962 by the Colorado State Board of Agriculture and set forth in general terms in the University Staff Manual; sponsored research is performed in accordance with prescribed procedures and subject to the terms of the research contract, including such research conducted under the Colorado State University Research Foundation, a separately incorporated nonprofit organization established 4 October 1941 to handle sponsored research and patents for the University; applicable on a university-wide basis to all University staff members, employees and graduate students as a condition of their employment:

> Statement of ownership principle. Technical discoveries, inventions and items of commercial importance resulting from the research or investigation conducted by staff members, employees or students of the University on University time or anyone utilizing University facilities shall become the property of the University or its designee. In the event that an investigation results in a discovery or invention which, according to common usage, may be patented, the University reserves the right to protect such discoveries or inventions by patent application with due regard to protection of the rights of the University and the interests of the inventor. The University shall own all the rights, title and interest in such patents and reserves the right to direct the assignment thereof to others, except in those cases of sponsored research projects where the terms of the research contract specifically require the assignment of patent rights to the sponsor.

University organization relating to patents. The President shall establish a standing committee on Patent Policy and Procedure consisting of five members selected from the general faculty of the University. The appointment of this Committee shall be for a term of five years, and appointments shall be so arranged that one member of the Committee is retired each year. This Committee shall be the official representative of the University for all matters pertaining to any invention or development of commercial value by the staff, employees or students of the University or anyone utilizing University facilities. The function of this Committee is one of review and subsequent recommendation to the President of the action to be taken for the best interests of the University. It shall not be charged with the responsibility for the procurement or the administration of patents or the exploitation of commercial items.

Any individual with emeritus standing is considered to be subject to the conditions of this patent policy as long as that individual is actively associated with the University or is utilizing University facilities. Any staff member, employee or student of the University shall have the right to present before this Committee any unusual or extenuating circumstances involving any individual rights to a particular invention.

It shall be the responsibility of Colorado State University Research Foundation to administer any patent rights accruing to the University. It shall also be the responsibility of the Research Foundation to receive, account for and properly distribute all monies received from any patent or from the sale of any commercial item.

Investigations financed wholly by the University, that is, sponsored by the University and carried out by public funds and by persons paid by the University.

In accordance with the principle of ownership, as stated above, the inventor or inventors shall assign all rights, title or interest in any patent or discovery to the University. The payment or just compensation to the inventor or inventors shall be made from the net proceeds of any monies accruing to the University from the commercial utilization of such patents. The cost of obtaining the patent shall first be returned to the University prior to any distribution of the proceeds from the patent. Any unusual or excessive expenses incurred by the University in supporting the research resulting in the invention shall also be returned to the University prior to the distribution of the proceeds from the patent.

Just compensation for the inventor or inventors shall be considered to be 25% of such net proceeds. The remaining 75% of the net proceeds shall accrue to the benefit of the University and shall be administered by the Research Foundation in concurrence with the President of the University in such a manner as to promote the research, development and growth of the University as a whole.

Investigations financed wholly or partially by governmental, industrial, philanthropic or other organizations or by an individual not employed by the University. In this case the results of the research shall be prosecuted under a contract or written agreement stating the rights and ownership of patents which may result from the research. Such a statement of rights is to be an integral part of the contract or agreement signed and properly executed prior to the initiation of any sponsored research project. Before the work is started on a project covered by such an agreement or contract, the principal investigator shall be advised of his specific rights thereunder and the principal investigator shall be responsible to advise his co-workers of their rights. The Research Foundation is directed to exercise its best efforts in negotiating contracts to secure an appointment of patent rights as favorable as possible to the interests of the University.

Investigations performed by an employee of the University wholly or partly on his own time and at his own expense. The Committee on Patent Policy and

Procedure, with the aid of such advice as they may seek, shall determine whether the invention falls into one of the following classifications and shall recommend to the President that the distribution of equities be as follows:

> (a) When the discovery is made wholly at the expense of the individual without the use of University facilities and outside the field of the individual's normal employment, the results of such research are the private property of the investigator and the University shall receive none of the proceeds.
>
> (b) When a discovery is made partly at the expense of the individual but with the use of University facilities or in the normal field of the individual's employment, just compensation shall be considered to be 25% of the net proceeds.
>
> (c) When a discovery is made by an individual acting as a consultant, its ownership shall first be subject to the terms of the consulting agreement under which the individual was acting. If the agreement does not require the assignment of patent rights to the sponsor the ownership and distribution of equities is to be determined by the Committee on Patent Policy and Procedure.

Commercial items not patented. In the event that inventions or developments of commercial value occur in the course of University research which are not patentable in themselves or which the Committee on Patent Policy and Procedure shall deem not advisable to patent, but are nevertheless of commercial value, they shall be subject to the same University policy as would any patentable invention. The Committee on Patent Policy and Procedure is to direct the administration of these inventions and the distribution of any equities involved according to the provisions applying to any patented invention or discovery.

Patent management agencies: the Colorado State University Research Foundation, which is authorized to act for the University, and also Research Corporation under an agreement with the Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor receives 25% of the net income derived from the sale or exploitation of the invention or of patents obtained on the invention.

UNIVERSITY OF COLORADO

Boulder, Colorado

Formalized research and patent policies, adopted 17 May 1949 by the University Senate, after extensive study by a faculty committee appointed by the President of the University, and revised 20 October 1950 to make the policy effective as of that date for all present members of the staff and to provide that each new member shall be informed of its provisions so that such provisions shall become a part of the agreement of employment between the individual and the University; applicable on a university-wide basis:

> 1. All University employees shall be encouraged to disclose to the President of the University all discoveries which result from their research, which in their opinion may lead to valuable and patentable inventions, and which are the result of the use of University laboratories, time, or other facilities.
>
> 2. The President in turn shall submit the disclosure to a University Patent Committee.

3. The University Patent Committee shall be composed of seven members, one of whom shall be a member of the faculty of the School of Law, one a member of the administrative staff and the remainder members of the University Senate engaged in teaching or research.

4. The duties of the Patent Committee shall be to establish, review and when advisable modify the principles by which applications or patents of University employees so disclosed are to be handled.

5. The Patent Committee shall consider each disclosure and make recommendation to the President and Regents concerning action to be taken with respect thereto.

6. Such recommendations shall be based upon full consideration of the various equities involved.

7. The inventor shall have the right to appeal to the President and Board of Regents all decisions of the Patent Committee.

8. The inventor shall receive a percentage of any income which the University obtains from the exploitation of an invention so disclosed, such percentage to be determined by negotiation between the inventor and the Patent Committee, and the inventor shall receive such percentage of the income whether or not he remains an employee of the University.

9. All net income from patents received by the University shall be used to further the research functions of the University under the direction of the President and Dean of the Graduate School.

10. The Regents shall decide in each particular case what procedures they may wish to follow in patenting and exploiting inventions.

11. Wherever practical, the Regents shall work through organizations such as the Research Corporation, the Chemical Foundation and other similar institutions.

Patent management agency: the Board of Regents of the University; the Board whenever practical, utilizes the facilities of nonprofit patent management organizations such as Research Corporation and similar nonprofit organizations. As indicated in the policy statement above, the equities of the inventor in his invention are recognized and the inventor receives a percentage of any income which the University obtains from the sale or exploitation of the invention, the percentage determined by negotiation between the inventor and the University Patent Committee.

UNIVERSITY OF DENVER

Denver 10, Colorado

No formalized research or patent policy, although such a policy has been formulated and is currently awaiting approval by the Board of Trustees of the University; at present each situation is considered on an individual basis; under the proposed policy all employees of the University are required to execute a patent waiver agreement and, at the option of the University as recommended by a Patent Review Committee, discoveries and inventions conceived during their employment are assigned to the University; the proposed policy will be applicable on a university-wide basis, including sponsored research conducted under the auspices of the Denver Research Institute, an unincorporated nonprofit division of the University, organized in 1946 to handle contractual research for industry and government on behalf of the University.

Patent management agencies: the Board of Trustees of the University and also Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention; under the proposed policy, when an invention is handled by the University itself, the inventor will receive 25% of the net income derived by the University.

Connecticut

FAIRFIELD UNIVERSITY

Fairfield, Connecticut

Formalized research and patent policy, adopted 23 May 1962 by the Board of Trustees of the University; sponsored research is subject to the approval of a Committee on Research; applicable on a university-wide basis:

> Fairfield University acquires ownership of all patentable inventions and discoveries developed by any person connected with the University provided they result from research conducted under the auspices of the University or with the use of the University facilities, unless the University has entered into a research grant contract with express provisions to the contrary.
>
> If the University decides that the invention is to be patented, all expenses of securing patent protection and of the further development of the invention will be borne by the University. In this event, the University expects the inventor or inventors to assist the University in the prosecution of the patent application and its attempts to dispose of the rights resulting from inventions or patents. An equitable disposition of any royalties will be made with the inventor or inventors.
>
> If the University is not interested in patenting the invention, the inventor shall be informed that he shall be free to handle or dispose of his invention as he wishes.
>
> Inventions which result from research neither conducted under the University auspices nor involving the use of facilities under the control of the University shall be the exclusive property of the inventor.

No patent management agency other than the Board of Trustees of the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor shares in an equitable disposition of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SOUTHERN CONNECTICUT STATE COLLEGE

New Haven, Connecticut

No formalized research or patent policy, although the formulation of such a policy has been under consideration; as a general practice the College at present observes a laissez-faire attitude and leaves all patent rights to the inventor. No patent management agency.

UNIVERSITY OF BRIDGEPORT

Bridgeport 4, Connecticut

No formalized research or patent policy, although the formulation of such a policy is contemplated; at present the University observes a laissez-faire attitude. No patent management agency.

UNIVERSITY OF CONNECTICUT

Storrs, Connecticut

Formalized research and patent policy, adopted by the Connecticut General Assembly at its January 1945 session and stated in sections 3278-3285 of the General Statutes of Connecticut; sponsored research is administered by the University of Connecticut Research Foundation under the direction of a Research Council; applicable on a university-wide basis:

> 3278. Research Foundation. Definitions. As used in sections 3279 to 3285, inclusive, 'university' shall mean The University of Connecticut; 'board' shall mean the board of trustees of the university; 'foundation' shall mean the research foundation established in accordance with section 3279; 'employee' shall mean any member of the faculty or staff of the university or the foundation, or any other employee thereof; 'invention' shall mean any invention or discovery and shall be divided into the following categories: A. Any invention conceived by one employee solely, or by employees jointly; B. any invention conceived by one or more employees jointly with one or more other persons; C. any invention conceived by one or more persons not employees.
>
> 3279. Establishment and management of foundation. The board is authorized to establish and manage the foundation as provided herein. The foundation may, subject to direction, regulation and authorization or ratification by the board: (1) Receive, solicit, contract for and collect, and hold in separate custody for purposes herein expressed or implied, endowments, donations, compensation and reimbursement, in the form of money paid or promised, services, materials, equipment or any other things tangible or intangible that may be acceptable to the foundation; (2) disburse funds acquired by the foundation from any source, for purposes of instruction, research, invention, discovery, development or engineering, for the dissemination of information related to such activities, and for other purposes approved by the board and consistent with sections 3278 to 3285, inclusive; (3) file and prosecute patent applications and obtain patents, relating to inventions or discoveries which the university may be justly entitled to own or control, wholly or partly, under the circumstances hereinafter defined; and receive and hold in separate custody, assignments, grants, licenses and other rights in respect to such inventions, discoveries, patent applications and patents; (4) make assignments, grants, licenses or other disposal, equitably in the public interest, of any rights owned, acquired or controlled by the foundation, in or to inventions, discoveries, patent applications and patents; and to charge therefor and collect, and to incorporate in funds in the custody of the foundation, reasonable compensation in such form and measure as the board shall authorize or ratify; and (5) execute contracts with employees or others for the purpose of carrying out the provisions of sections 3278 to 3285, inclusive. All property and rights of every character, tangible and intangible, placed in the custody of the foundation in accordance with said sections, shall be held by the foundation in trust for the uses of the university. The entire beneficial ownership thereof shall vest in the university and the board shall exercise complete control thereof.

3280. Ownership of inventions. The university shall be entitled to own, or to participate in the ownership of, and to place in the custody of the foundation to the extent of such ownership, any invention, on the following conditions: (a) The university shall be entitled to own the entire right, title and interest in and to any invention in category A, in any instance in which such invention is conceived in the course of performance of customary or assigned duties of the employee inventor or inventors, or in which the invention emerges from any research, development or other program of the university, or is conceived or developed wholly or partly at the expense of the university, or with the aid of its equipment, facilities or personnel. In each such instance, the employee inventor shall be deemed to be obligated, by reason of his employment by the university, to disclose his invention fully and promptly to an authorized executive of the university; to assign to the university the entire right, title and interest in and to each invention in category A; to execute instruments of assignment to that effect; to execute such proper patent applications on such invention as may be requested by an authorized executive of the university, and to give all reasonable aid in the prosecution of such patent applications and the procurement of patents thereon; (b) the university shall have the rights defined in subsection (a) of this section with respect to inventions in category B, to the extent to which an employee has or employees have disposable interests therein; and to the same extent the employee or employees shall be obligated as defined in said subsection (a); (c) the university shall have no right to inventions in category C, except as may be otherwise provided in contracts, express or implied, between the university or the foundation and those entitled to the control of inventions in category C.

3281. Employees to share in proceeds. Each employee who conceives any invention and discharges his obligations to the university as hereinbefore provided shall be entitled to share in any net proceeds that may be derived from the assignment, grant, license or other disposal of such invention. The amount of such net proceeds shall be computed by, or with approval of, the board, with reasonable promptness after collection thereof, and after deducting from gross proceeds such costs and expenses as may be reasonably allocated to the particular invention or discovery. A minimum of twenty per cent of the amount of such net proceeds shall be paid to an employee who solely conceived or made the invention, and shall be paid in shares to two or more employees who jointly made the invention in such respective proportions as the board may determine. The board in its discretion may increase the amount by which any employee or employees may participate in such net proceeds.

3282. Disagreements; procedure. Disagreements as to the allocation of any invention to one of said categories, or as to the obligations of any employee or due performance thereof, or as to participation of any employee in net proceeds, or as to rights or obligations with reference to inventions in any category, shall be disposed of as follows: (a) By voluntary arbitration of all relevant issues, if the disagreeing parties approve and agree to be bound by the decision upon such arbitration; (b) by compulsory arbitration if that be provided for in any applicable contract between the disagreeing parties; (c) by recourse to courts of appropriate jurisdiction within the state if arbitration cannot be resorted to under either subsection (a) or (b) of this section.

3283. Regulations for arbitration. The board is authorized to establish and regulate, equitably in the public interest, such measures as the board may deem necessary for the purposes of such arbitration, and to make contracts for compulsory arbitration, in the name of the university or of the foundation.

3284. Regulations; enforcement. The board is authorized to make and enforce regulations to govern the operations of the university and the foundation in accordance with the provisions of sections 3278 to 3285, inclusive.

3285. Rights as to products of authorship. The provisions of sections 3278 to 3285, inclusive, shall not entitle the university or the foundation to claim any literary, artistic, musical or other product of authorship covered by actual or potential copyright under the laws of the United States; but the university and the foundation shall each be authorized to make and enforce any contract, expressed or implied, which it may make with reference to any such subject matter.

Patent management agencies: the University of Connecticut Research Foundation, created in 1945 by the Connecticut General Assembly to handle patents in trust for the use of the University, and also Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University and placed in the custody of the Foundation, the inventor shares in the net proceeds derived from the assignment, in the discretion of the University Board of Trustees, to the extent of a minimum of 20% of such net proceeds.

UNIVERSITY OF HARTFORD

Hartford 1, Connecticut

No formalized research or patent policy; as a general practice each situation is considered on an individual basis, with sponsored research conducted through a Division of Research; employees, including students, of the University engaged in such research are required to sign a patent waiver agreement.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with Hillyer College, a recently merged unit of the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WESLEYAN UNIVERSITY

Middletown, Connecticut

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude, except with respect to government-sponsored research which is subject to the contractual provisions arranged by the College Administrator of Government Research, including the execution of patent agreements by those engaged in such research.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions, under a patent development agreement with the University; inventors retain exclusive rights in their inventions unless, in special cases, they are required to assign the inventions to the University; with respect to government-sponsored research the inventors are awarded a specific share of the proceeds from the sale or exploitation of patents obtained on inventions which the Government permits the University to retain and which are patented and handled through Research Corporation.

YALE UNIVERSITY

New Haven, Connecticut

Formalized research and patent policy, originally adopted 14 May 1938 and last revised 8 February 1958 by the Yale Corporation; applicable on a university-wide basis to all persons associated with the University:

> I. Objectives. The purpose of University research is to advance knowledge in the various fields of learning. Incidental to such research, inventions may be made which, in the interests of the public, the University and the inventor, ought to be patented.
>
> The purposes of Yale's patent policy, which is intended to cover all persons associated with the University, include the following:
>
> 1. To adopt procedures for determining which inventions ought to be patented.
> 2. To establish a method for obtaining patents expeditiously, without cost to the inventor.
> 3. To assure a management of such patents which will be consonant with the University's obligations to the public.
> 4. To provide for payment to the inventor of an appropriate share of the patent receipts and for dedication of the University's share to the support of future scientific research within the University.
>
> II. Administration. The primary responsibility for administration of this policy shall rest with a standing Committee on Patents appointed by the President.
>
> In general it is not the policy of the University to hold title to patents. The University has made an arrangement with Research Corporation, a nonprofit foundation which distributes its total income as grants-in-aid of research to colleges, universities and scientific institutions, under which this corporation will carry out the patenting and commercializing of inventions assigned to and accepted by it. Research Corporation will do this without charge to the inventor, will pay to the inventor a share of the gross income which it receives from the invention and will divide the balances, after any special expenses in connection with the patent have been met, equally between the University and Research Corporation.
>
> All moneys coming to the University from patents under the arrangements covered by this policy shall be held as a Fund for the Promotion of Scientific Research and through appropriate committees of representatives of the faculty and of the administration, appointed by the President, shall be administered for the benefit of scientific research in the University.
>
> When an invention of any person associated with the University results from research conducted under University auspices or with the use of facilities under the control of the University, the inventor shall report the fact to the Committee on Patents.
>
> The Committee on Patents shall decide whether the invention shall be submitted to Research Corporation to be processed in accordance with the University's agreement with it. If the Committee decides in the affirmative and Research Corporation is willing to accept the patent under the terms of the agreement, the inventor shall assign the patent to Research Corporation and the Committee shall, unless there are unusual equities, direct Research Corporation to pay 15% of the gross income from the patent to the inventor or inventors.

In unusual cases, the Committee may wish to recommend to the Yale Corporation other arrangements for handling the patent. In such an event, the percentages of receipts from the patent which shall be paid to the inventor and to the University shall be determined through negotiations between the inventor and the Committee on Patents.

If the Committee decides that patenting of the invention is not contrary to University policy, but if neither Research Corporation under its agreement with the University nor the University through other arrangements is willing to undertake such patenting, the University shall have no further interest in the invention and the inventor shall be free to handle or dispose of his invention as he wishes.

Inventions resulting from research neither conducted under University auspices nor involving the use of facilities under the control of the University shall be the exclusive property of the inventor. He may, however, if he wishes, submit his invention to the Committee on Patents for handling in accordance with the foregoing procedures. In such a case the percentages of the receipts from the patent which shall be paid to the inventor and to the University shall be decided through negotiations between the inventor and the Committee.

All persons associated with the University are free to seek the advice and assistance of the Committee on Patents.

III. Relations with Sponsors of Research. The terms of proposed grants from, or contracts with, outside organizations or agencies respecting rights to patents developed as a result of research conducted under such grants or contracts, or with facilities provided by any such outside organization or agency, must be approved by the Committee on Patents and if so approved shall be binding upon all members of the faculty, staff and employees of the University conducting such research or utilizing such facilities and shall supersede the provisions of Sections I and II hereof to the extent they are inconsistent therewith.

All proposed agreements with sponsors regarding patents shall be submitted to the Treasurer of the University for consideration by the Committee on Patents.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor ordinarily receives 15% of the gross income from the sale or exploitation of any patents obtained on the invention.

Delaware

UNIVERSITY OF DELAWARE

Newark, Delaware

Formalized research and patent policy, originally adopted 3 June 1950 and revised 14 April 1958 by the Board of Trustees of the University; applicable on a university-wide basis, including research conducted by or under the auspices of the University of Delaware Research Foundation, successor to the Haskell Research Foundation, a separately incorporated nonprofit organization established 5 April 1949, which supports research by faculty using the facilities of the University:

> In the event of inventions by members of the University or staff or by students, it is recommended that the University of Delaware Research Foundation, Inc. be utilized in patent prosecution, protection and exploitation. Information respecting the invention should be provided the chairman of the Faculty Research Committee, who will transmit it to the University of Delaware Research Foundation, Inc. for consideration. In the case of any invention which the Foundation elects to prosecute, the Foundation will assume all costs and, if income results, will provide royalties to the inventor according to Foundation practice, which is understood to be 15% of net proceeds. This procedure is advantageous in that it relieves the inventor of the effort, time and expense involved in obtaining and exploiting a patent and eliminates any difficulties in evaluating the relative contribution of the University facilites to the invention.
>
> An alternative procedure may be followed by any inventor who prefers to prosecute the patent action himself instead of utilizing the Foundation. In such case, however, the equity owing to contributions of the University and others must be considered; therefore, it is mandatory for the inventor to provide full information respecting the invention to the chairman of the Committee on Research. Representatives of the Committee on Research will then negotiate with the inventor as to the equities in the invention and arrange for proper distribution of costs and of possible income.
>
> It is understood that special conditions may apply in the case of research projects supported under contracts. In general, no special patent privileges are granted to sponsors of research except in providing for royalty-free, irrevocable, nonexclusive licenses and, in case of government agencies, all foreign rights.

Patent management agency: the University of Delaware Research Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor receives 15% of the net income derived from the sale or exploitation of any patents obtained on the invention.

AMERICAN UNIVERSITY

Washington 16, D. C.

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; at present each situation is handled on an individual basis. No patent management agency.

CATHOLIC UNIVERSITY OF AMERICA

Washington 17, D. C.

No formalized research or patent policy; as a general practice each situation is considered on an individual basis, the University waiving all patent rights to the inventor or, in sponsored research, to the sponsor; sponsored research is conducted under the administrative direction of a Coordinator of Research in accordance with prescribed procedures and every faculty member engaged in such research is required to execute a patent waiver agreement to conform to the terms of the research contract.

No patent management agency; as indicated above, the University is not interested in acquiring patent rights; when, in accordance with the terms of a sponsored research contract, an invention is assigned to the sponsor, provision is made for the inventor to receive an inventor's fee of $100 for each patent application he executes and a similar amount for each divisional application.

GALLAUDET COLLEGE

Washington 2, D. C.

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude; all research conducted at the College is under the advisory, but not administrative direction of a Committee on Research composed of faculty members trained in research on aspects of deafness, the principal concern of the College. No patent management agency.

GEORGETOWN UNIVERSITY

Washington 7, D. C.

Formalized research and patent policy, adopted 1 July 1954 by the President and Directors of Georgetown College; sponsored research is conducted in accordance with prescribed procedures under the administrative jurisdiction of a faculty Committee on Research; applicable on a university-wide basis to faculty, staff members and other employees of the University:

> Faculty, staff members and employees of Georgetown University (hereinafter referred to as staff members) shall participate in the fruits of scientific research under the following principles:
>
> I. Georgetown University acquires ownership in all inventions made by a staff member provided such invention was made:

(a) during a special research assignment given to a staff member pursuant to a research contract of the University or otherwise;

(b) in utilization of the facilities, equipment, funds or other contributions of the University;

(c) and provided that the University has not entered into a research grant contract with express provisions to the contrary.

II. At the request of Georgetown University any member of the University staff who developed an invention under paragraph I shall be required to execute the papers required for making application for patents in the United States and abroad and for assignment of such patent applications or patents to Georgetown University. The expenses of the patent proceedings undertaken pursuant to this section are to be paid by the University.

III. Georgetown University may dispose of its rights obtained under paragraphs I and II as follows:

(a) by selling or licensing such rights with the concurrence of the inventor;

(b) by opening such rights for public use, if principles of charity or public policy, in the determination of the University, so demand;

(c) by releasing such rights to the inventor, provided he repays expenses already made in accordance with paragraph II;

(d) by including such rights in a research contract with a third party under which such rights are, either in advance or subsequently, assigned or licensed to the third party or otherwise.

IV. The member of the staff shall be paid one half of the net income resulting to the University under paragraph II (a) after deduction of all expenses incurred under paragraph II.

If disposition is made under paragraph III (d), Georgetown University will do its best, in the interest of its staff members, to facilitate their participation in the income either directly from the third party or through participation in the income of the University.

V. The members of the staff of Georgetown University are expected to cooperate in the following way:

(a) they will maintain clear records from which the development of research and of inventions can be proven;

(b) they will report to Georgetown University or its departments whenever, in their opinion, an invention, patentable or not, was made;

(c) they will assist the patent attorney designated by Georgetown University in the prosecution of the patent application;

(d) they will assist Georgetown University in its attempts to dispose of the rights resulting from inventions or patents;

(e) these obligations enumerated here remain effective even after the staff member shall leave the University.

Georgetown University will give all reasonable opportunity to the staff members to help in getting the most equitable arrangement in the interest of Georgetown University and the inventor.

VI. Any dispute arising from the application of these principles shall be arbitrated in accordance with the procedure prescribed by the American Arbitration Association. The award rendered by the arbitrator shall be final and binding on both parties.

VII. The conditions enumerated herein shall become a part of each contract of employment with the staff members.

VIII. Notwithstanding the above provisions, the University may elect, with the concurrence of the inventor, to contract with a patent management firm, mutually acceptable, for such services in relation to patent application and prosecution as such organization offers.

No patent management agency other than the President and Directors of Georgetown College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 50% of the net income derived from the sale or exploitation of any patents obtained on the invention.

GEORGE WASHINGTON UNIVERSITY

Washington 6, D.C.

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice each situation is at present handled on an individual basis; research at the University is coordinated under a Dean for Sponsored Research, including particularly all sponsored research which is conducted in accordance with prescribed procedures and subject to the terms of the research contract.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not to exceed 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

HOWARD UNIVERSITY

Washington 1, D. C.

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by the Board of Trustees of the University; as a general practice each situation is at present handled on an individual basis; sponsored research is conducted under a Committee on Administration of Research in accordance with prescribed procedures; any employee of the University who desires to patent or otherwise protect an item developed with the use of University facilities is required to obtain administrative authorization. No patent management agency but the University is disposed to utilize the facilities of Research Corporation.

FLORIDA SOUTHERN COLLEGE

Lakeland, Florida

No formalized research or patent policy; as a generally accepted practice patents obtained on inventions resulting from sponsored research are assigned to the College and the inventor receives 50% of any income derived from the sale or exploitation of his invention. No patent management agency other than the Board of Trustees of the College.

FLORIDA STATE UNIVERSITY

Tallahassee, Florida

Formalized research and patent policy, approved 25 July 1944 by the Board of Commissioners of State Institutions of the State of Florida and adopted 14 August 1944 by the University Board of Control, which is identical with the policy of the University of Florida, originally adopted 5 June 1924 and amended 14 August 1944 and September 1950 (see University of Florida on page 84 for policy statement); sponsored research is conducted subject to the terms of the research contract and each faculty member or other employee of the University participating in such research is required to execute a patent waiver agreement; applicable on a university-wide basis to faculty members and other employees of the University and also graduate students.

Patent management agency: Research Corporation or a similar nonprofit organization, on behalf of the Board of Commissioners of State Institutions of the State of Florida; as indicated in the University of Florida policy statement below, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or a similar organization, the inventor receives not less than 15% of the gross income derived from the sale of exploitation of any patents obtained on the invention or, if the invention is handled by the University itself, not less than 25% of the net income accruing to the University.

JACKSONVILLE UNIVERSITY

Jacksonville, Florida

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude but all sponsored research is subject to the approval of the Vice President and Dean of the University, who acts as Director of Research. No patent management agency.

ROLLINS COLLEGE

Winter Park, Florida

No formalized research or patent policy; an institutional self-study currently in progress may result in the formulation of a policy; as a general practice sponsored research is conducted in accordance with contractual stipulations. No patent management agency.

STETSON UNIVERSITY

DeLand, Florida

No formalized research and patent policy; a Faculty Senate committee is currently studying the matter with a view to recommending a policy to the Board of Trustees of the University. No patent management agency.

UNIVERSITY OF FLORIDA

Gainesville, Florida

Formalized research and patent policy, originally adopted 5 June 1924 by the University Board of Control and amended 14 August 1944, to vest title in any patents in the Board of Commissioners of State Institutions of the State of Florida in conformance to state law, and again on 21 September 1950, to provide for an agreement between the Board of Commissioners and Research Corporation whereby the latter may manage patentable material developed at the University; sponsored research is conducted subject to the terms of the research contract and each faculty member participating in such research is required to execute a patent waiver agreement; administered by the Research Council of the University and applicable on a university-wide basis to faculty members and other employees of the University and also to graduate students:

> Investigations financed wholly by the University. All workers on such projects are under contract with the Board of Control whereby, at the option of the Research Council, they may be required to patent their respective inventions and/or discoveries and assign the same to the Board of Commissioners of State Institutions of the State of Florida for the use and benefit of the State, in which event the University pays the cost of obtaining such patents.
>
> Investigations financed partly by the University in material requirements or personnel service, the remainder being contributed by an organization of industrial or other character, or by an individual not connected with the University. Projects of this type are undertaken only in accordance with the execution of a written agreement made prior to the actual initiation of such project. Each contract stipulates patent and publication rights.
>
> Investigations financed wholly by an organization of industrial or other character, or by an individual not employed by the University. In this case the research is prosecuted under a contract stating the rights and ownership of patents which may result from such research.
>
> Investigations performed by an employee of the University at his own expense and on his own time. This type of investigation logically divides into two parts:
>
> > Type A. When a discovery or invention is made outside of the field in which the discoverer or inventor is employed by the University, the results of such research are obviously the private property of the investigator.
> >
> > Type B. When the discovery or invention is made in the field in which the investigator is employed by the University, the investigator presents to the Research Council an outline of the project and the conditions under which it was done. The Council then recommends a suitable policy for handling the material with respect to patent rights.
>
> The University reserves the right to enter into contracts with recognized patent management and development agencies for the purposes of patent application,

patent development and patent management. In such cases, the terms of the contract provide for a distribution of proceeds from the disposal of the patent between the contracting parties and the discoverer or inventor, but in no case are the proceeds allotted to the discoverer or inventor less than 15% of the gross proceeds except as modified by specific recommendations. If the patent is handled directly by the University, the share allotted to the discoverer is not less than 25% of the net proceeds except as modified above. In the event the material involved in the patent comes from research done on dissertations or in connection with dissertation problems, the amount allotted to the discoverers is divided two-thirds to the faculty member who has directed the research and one-third to the graduate students who helped with the work.

The Research Council and the University act with dispatch in making recommendations and clearance with the patent development and management contractor. In general, a decision as to whether the University and/or its patent development and management contractor will prosecute the patent will be made within 120 days from the date the discovery is announced to the Research Council. In the event the University does not undertake to pay the cost of obtaining a patent, then all rights to the invention are the property of the inventor. At any stage of making the patent application or in the development of a patent secured, the University can withdraw and return the material to the inventor in which case it is his property and none of the costs incurred by the University or on its behalf shall be assessed against the inventor.

All University profits derived from patents go to a Research Fund to be administered for the further promotion of research.

Patent management agency: Research Corporation on behalf of the Board of Commissioners of State Institutions of the State of Florida to whom patents developed at the University are assigned; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, under the patent development agreement with Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of patents obtained on his invention; if a patent is handled by the University itself, the inventor receives not less than 25% of the net income accruing to the University; if the material involved in the patent comes from research done on a graduate student's dissertation or in connection with dissertation problems, the amount allotted to the inventors is divided two-thirds to the faculty members who directed the research and one-third to the graduate students who helped with the work.

UNIVERSITY OF MIAMI

Coral Gables 46, Florida

Formalized research and patent policy, adopted 29 December 1949 by the Board of Trustees of the University; applicable on a university-wide basis:

1. (a) Any member of the faculty or staff of the University of Miami who has made a valuable discovery or invention which he considers patentable shall bring such discovery or invention to the attention of the Patent Committee hereinafter described which shall determine whether and to what extent the University has an interest in the discovery or invention.

(b) A discovery or invention, whether or not subject to patent, developed as a direct result of the regular duties of the faculty or staff member, or as a result of a program of research financed wholly or in part by University funds or by funds under the control of the University, shall be the exclusive property of the University, to be administered in accordance with the recommendation of the Patent Committee.

(c) A discovery or invention developed by a faculty or staff member, on his own time and at his own expense, along lines not related to any University program of research, or to which the University is committed, and to the production and development of which the University has contributed nothing substantial in funds, space, facilities or time of a staff member, shall be the exclusive property of the inventor.

(d) All other discoveries and inventions shall be subject to review and determination of equities by the Patent Committee.

2. (a) The Board of Trustees of the University of Miami hereby authorizes the President to appoint a University of Miami Patent Committee, consisting of seven members of the faculty and administrative staff of the University and two members of the Board of Trustees, said committee to report to him its findings on all matters bearing on patentable research or on patents offered by gift, devise, purchase, ownership or assignment to the University, regardless of their potential or actual place of origin.

(b) It shall be the responsibility of this committee:

(1) To receive and act upon reports of inventions from members of the staff and others.

(2) To determine ownership, dates of conception, disclosure, and reduction to practice in respect to (1) above.

(3) To determine equities of the University, inventor, co-inventor and other parties.

(4) To recommend the extent of inventor participation in financial returns.

(5) To report its findings within six months of disclosure of the invention.

3. The President of the University shall determine the manner in which patents which become the property of the University shall be managed and exploited.

Patent management agency: Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, in accordance with the patent development agreement with Research Corporation, the inventor receives an amount not to exceed 15% of the income received from the sale or exploitation of patents obtained on an invention assigned to Research Corporation.

UNIVERSITY OF SOUTH FLORIDA

Tampa 4, Florida

Formalized research and patent policy, adopted 15 October 1955 by the University Board of Control, which is identical with the policy of the University of Florida, originally adopted 5 June 1924 and amended 14 August 1944 and 21 September 1950 (see University of Florida on page 84 for policy statement); sponsored research is conducted subject to the terms of the research contract and each faculty member or other employee of the University participating in such research is required to execute a patent waiver agreement; administered by the Research Council of the University and applicable on a university-wide basis to faculty members and other employees of the University and also graduate students.

No patent management agency other than the Board of Commissioners of State Institutions of the State of Florida, which may utilize the patent development facilities of Research Corporation or a similar nonprofit organization; as indicated in the University of Florida policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or a similar organization, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention or, if the invention is handled by the University itself, not less than 25% of the net income accruing to the University.

Georgia

ATLANTA UNIVERSITY

Atlanta, Georgia

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude and individual faculty members are not limited in their attempts to patent their research findings. No patent management agency.

EMORY UNIVERSITY

Atlanta 22, Georgia

No formalized research or patent policy, although consideration has been given to the formulation of such a policy; at present the University handles each situation on an individual basis. No patent management agency.

GEORGIA INSTITUTE OF TECHNOLOGY

Atlanta, Georgia

No formalized research or patent policy, except with respect to research financed through the Engineering Experiment Station or the Georgia Tech Research Institute including sponsored research; staff members engaged in such research are required, under an established policy approved by the Board of Regents of the University System of Georgia, to assign title to their inventions and discoveries to a patent-holding entity; under their employment contract such employees may, at the option of the Georgia Tech Research Institute, be required to patent their inventions and to assign them to the Georgia Tech Research Institute, a separately incorporated nonprofit organization, established 13 April 1937 as the Industrial Development Council (name changed 5 February 1946) to implement the utilization of the research facilities of the Georgia Institute of Technology by outside agencies and to provide a corporate depository for patents.

Patent management agency: the Georgia Tech Research Institute; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Research Institute, the inventor receives 33⅓% of the net income derived from the sale or exploitation of patents obtained on the invention, except as otherwise provided under the specific terms of a research agreement.

MEDICAL COLLEGE OF GEORGIA

Augusta, Georgia

No formalized research or patent policy, although one is currently being formulated in collaboration with officials of the University System of Georgia; at present each situation is handled on an individual basis. No patent management agency.

UNIVERSITY OF GEORGIA

Athens, Georgia

Formalized research and patent policy, adopted in February 1956 by the Regents of the University System of Georgia; sponsored research at the University, except in the College of Agriculture, is handled through a Director of General Research; applicable on a university-wide basis, except for the College of Agriculture:

1. A Fund for the Promotion of Research shall be established by the University of Georgia. In it shall be deposited all monies received by the University from financially profitable patents granted for inventions made by members of its staff or student body, as herewith provided.

2. A Patent Committee of the Faculty, to consist of five persons, shall be appointed by the President. Additional members may be temporarily added by the Chairman at any time to consider a particular invention if their advice is needed.

3. If and when the Fund for the Promotion of Research reaches such a size as to make it desirable to do so, another committee to consist of three persons appointed by the President shall be created to consider and recommend grants of money in support of research on the campus and the creation of research fellowships, both to be financed from this fund.

4. Except as otherwise stated, no inventor shall be compelled to submit an invention to the Patent Committee or allow the Research Corporation of New York to apply for a patent on it and commercialize the patent. If an inventor does desire to take advantage of the facilities herein outlined, such action shall be purely voluntary. If he wishes to apply for a patent at his own expense and to sell such patent, or an interest in the same or otherwise use it in such a way as to yield financial returns to himself, he shall be free to do so, but he must then pay into the Fund for the Promotion of Research 10% of all monies received by him from his invention in recognition of the fact that the University laboratory and other space and equipment, together with library facilities, were doubtless used in developing the invention.

5. The Patent Committee may recommend to the President that the contribution of the aforementioned 10% of gross earnings to the Fund be waived or reduced if it seems evident to it that University facilities and time were not used in developing an invention or were used to such a slight extent that a 10% contribution might be considered exhorbitant.

6. If the University Patent Committee decides that an invention is meritorious and probably new and, if the process or article is such as may probably be marketed profitably or if it seems desirable to make the invention available to industry and the public on a reasonable basis, it will submit the invention to the Research Corporation of New York. If the Corporation accepts the invention,

the inventor will assign all his rights therein to the Research Corporation which will pay for having a search of the Patent Office records made. If the invention is found to be patentable, the Research Corporation will pay all the expense of procuring a patent or patents, including the expense of marketing the invention, except foreign patents and any litigations concerning any patent, which is subject to approval of the University in writing prior to any commitment.

7. The Research Corporation will pay to the inventor 15% of the gross income accruing from his invention.

8. The Research Corporation will pay to the University, to be placed in the Fund for the Promotion of Research, 50% of the net profits accruing from the invention after the inventor has received his portion and after all expenses incurred by Research Corporation in connection with an invention have been refunded to it; thereafter, the University shall receive 50% of the net profits.

9. If an employee of the University, either on full or part time, develops an invention as a result of research work for which he is paid by the University, on University time, the inventor must submit his invention to the Patent Committee and assign it to Research Corporation, if both the Committee and Corporation approve.

10. Should some person, group of persons, firm or organization pay in whole or in part for the investigation of some problem at the University and should an invention be developed as a result of such a cooperative enterprise, then the ownership of the patent shall be determined by the terms of the agreement entered into between the University and such cooperating person, group of persons, firm or organization.

11. If the Patent Committee or the Research Corporation reports adversely on any invention or if no report is received by the inventor within ninety days of the date the invention is submitted to the Patent Committee, the inventor shall be free to handle it as seems best to him.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income accruing from the sale or exploitation of patents obtained on the invention.

Hawaii

UNIVERSITY OF HAWAII

Honolulu 14, Hawaii

Formalizd patent policy, adopted 19 October 1945 by the Board of Regents of the University and incorporated in the by-laws of the University; applicable on a university-wide basis:

> Patents and copyrights resulting from work for which the employee has been paid by the University shall, at the request of the Board (of Regents), be assigned to the University. The Board may at its discretion claim all or part of such royalties resulting from patents and copyrights.

No patent management agency other than the University Board of Regents. As indicated in the policy statement above, the Board of Regents recognizes the equities of the inventor in his invention and may, at its discretion and on the recommendation of the President of the University, leave or allocate to the inventor or author all or part of royalties obtained from the sale or exploitation of patents.

Idaho

THE COLLEGE OF IDAHO

Caldwell, Idaho

No formalized research or patent policy; as a general practice each case is handled on an individual basis. No patent management agency.

IDAHO STATE COLLEGE

Pocatello, Idaho

No formalized research or patent policy, although some consideration has been given to the formulation of a policy; if patent questions should arise, the policy of the University of Idaho (see below) would be extended to cover the situation. No patent management agency, except that a patent development agreement would probably be made with Research Corporation.

UNIVERSITY OF IDAHO

Moscow, Idaho

Formalized research and patent policy, approved 18 April 1947 by the Board of Regents of the University and revised 1 April 1948; applicable on a university-wide basis to faculty and to students:

> 1. All inventions or other subject matter capable of protection by patents made by any present employee of the University of Idaho who accepts this patent policy and so indicates to the Board of Regents of the University of Idaho in writing, and pertaining to the subject matter of any development initiated and financed by the University of Idaho or those acting in its behalf, shall be the property

of the University. Persons engaged subsequent to the date of approval of this policy are required to adhere to its provisions.

2. All inventions, or other subject matter capable of protection under the patent laws, made by any employee of the University of Idaho in the course of a special development and directly relating to the subject of the development under contract with a private concern, shall be the property of the private concern, unless otherwise specified in said contract.

3. All inventions, or other subject matter capable of protection under the patent laws, made by any employee of the University of Idaho outside the scope of sections 1 and 2, so far as the University is concerned, shall be the property of the inventor.

4. A student who holds a staff appointment by the Board of Regents is considered an employee of the University and Sections 1, 2 and 3 apply. In cases where the development is made by a student who is not holding a staff appointment (but who may be employed on irregular help or be the recipient of a scholarship or other aid) and who is utilizing for research only a reasonable amount of space and facilities, it shall be considered that the University is not contributing to the research inasmuch as it is considered that such space or facilities are provided for by the payment of student fees or their equivalent; except, that a student employed on irregular help to work on a special development for the University, Foundation, or under contract with a private concern shall be bound by sections 1 and 2 above. The rights of a student under this section include the right to assign or otherwise dispose of these rights.

Patent management agencies: the University of Idaho Research Foundation, a separately incorporated nonprofit organization established 3 June 1949 to protect the interests of the inventor, the University and the public in inventions made by members of the University staff, and also Research Corporation under a patent development agreement with the Foundation; the equities of inventors in their inventions are recognized and, in accordance with the agreement with Research Corporation, the inventor receives 25% of the gross income derived from the sale or exploitation of patents obtained on his invention.

AUGUSTANA COLLEGE

Rock Island, Illinois

No formalized research or patent policy, either for the College or for the Augustana Research Foundation, which is primarily a research laboratory, established 5 May 1947 as a separately incorporated nonprofit research organization, affiliated with and utilizing the staff and facilities of the College; patentable discoveries growing out of sponsored research are subject to the terms of the research contract and are usually assigned to the sponsor. No patent management agency.

CHICAGO COLLEGE OF OSTEOPATHY

Chicago 15, Illinois

No formalized research or patent policy, although the formulation of such a policy is contemplated; for the present the College has adopted the following practice:

> Any invention first conceived and actually reduced to practice in the course of work conducted by a full time faculty member employed by the institution or assisted by a grant in aid or by a fellowship shall promptly and fully report the invention to the administration and where applicable to the granting agency so that the vested interests in the invention may be protected.
>
> The determination of whether or not patent protection shall be obtained and to the rights in the invention of the school and granting agency shall be determined by the guide lines of the grantor and the institutional policy with respect to full time faculty.

No patent management agency other than the Board of Trustees of the College.

CHICAGO MEDICAL SCHOOL

Chicago 12, Illinois

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. Patent management agency: the Chicago Medical School Research Foundation, a separately incorporated nonprofit organization established 18 October 1948 to manage a patent assigned to the School; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor receives 15% of the net income derived from the sale or exploitation of patents obtained on the invention.

DEPAUL UNIVERSITY

Chicago 4, Illinois

No formalized research or patent policy; as a general practice each situation is handled on an individual basis and, with respect to sponsored research, is subject to the approval of the President of the University. No patent management agency.

ILLINOIS INSTITUTE OF TECHNOLOGY

Chicago 16, Illinois

No formalized research or patent policy, although consideration has been given to the formulation of such a policy; as a general practice each situation is considered on an individual basis; in sponsored research patent and publication rights are retained by the Institute, unless specific contractual arrangements to the contrary are made; sponsored research of an applied nature is in general referred to the Armour Research Foundation, a separately incorporated nonprofit research organization affiliated with the Institute, established 6 April 1936 to provide research and experimental engineering services to industry and government. No patent management agency other than the Board of Trustees of the Institute; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institute, the inventor shares in the net income to the Institute from the sale or exploitation of any patents obtained on the invention, the percentage he receives determined by the Institute on an individual basis in the light of the circumstances in each situation.

LOYOLA UNIVERSITY

Chicago 11, Illinois

Formalized research and patent policy, adopted in 1950 by the Board of Trustees of the University and contained in the employment contract between the University and its faculty members; applicable on a university-wide basis:

> In consideration of his employment by the University the appointee agrees, upon request of the University, to assign to the University or its nominee all right, title and interest which the appointee may have or claim in any patentable discovery made or developed by him in the course of his employment by the University or with the use of University facilities. Such assignment shall be made upon terms and conditions mutually acceptable to the University (or its nominee) and the appointee.
>
> If the parties are unable to agree, any and all issues in dispute shall be resolved by a board of arbitration, one member to be chosen by each party in interest and the third member by the other two. The decision of a majority of the board shall be final and binding on all interested parties, but the jurisdiction of the board shall extend only to the resolution of disputed issues relating to the proposed agreement. The reasonable expenses of arbitration shall be borne by the University.
>
> It is understood and agreed that the University shall have a reasonable time after disclosure of the discovery to elect whether it will require the above assignment. If the University fails so to elect, the appointee may make arrangements with outside parties for the development and exploitation of the discovery; but such arrangements must have the written approval of the University.
>
> It is further understood and agreed that the provisions of this paragraph are subject to the terms and conditions of any special agreement entered into or to be entered into between the parties hereto, or the University individually, and a third party with respect to any existing or future grant-in-aid.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention, as determined by mutual agreement in each case.

MONMOUTH COLLEGE

Monmouth, Illinois

No formalized research and patent policy, although the formulation of such a policy is currently under consideration; at present each situation is handled on an individual basis. No patent management agency.

NORTHWESTERN UNIVERSITY

Evanston, Illinois

Formalized research and patent policy, originally adopted 1 October 1947 by the Executive Committee of the Board of Trustees of the University and revised 11 December 1961 on recommendation of a faculty Patents Committee; applicable on a university-wide basis to faculty members and research workers, including graduate students, both of the units of the University located in Evanston and of the Medical School located in Chicago:

> 1. Patentable discoveries sometimes result from research performed at the University. It is the desire of the University to be as helpful as possible in protecting the patent rights of the faculty and researchers, including graduate students, to the fullest extent compatible with the public interest and the rights of the University. To this end the University has set up a faculty Patents Committee with a patent law consultant available. All patentable inventions and discoveries made in the course of research done under University auspices or with University facilities shall be disclosed to this Committee.
>
> 2. To facilitate the obtaining of patents on inventions or discoveries, the University will offer assistance to the researcher in the following alternatives, at his option:
>
> > (a) Access to the faculty Patents Committee and recourse to the services of the staff patent law consultant;
> >
> > (b) Recourse to the services of the Research Corporation, as described in paragraph 8 hereof; or
> >
> > (c) Opportunity (at researcher's expense) to consult with any attorney of the researcher's choice and take any other steps deemed advisable toward obtaining and developing a patent. Division of the proceeds, however, should be in accord with this general University policy on patents.
>
> 3. All net income derived from patents will be used for the benefit of the researcher and University research funds. One-half of the net proceeds will be paid to the researcher personally, or as he directs, and the remainder will be used by the University for research. Special consideration will be given to the department in which the patent arose.
>
> 4. The faculty Patents Committee shall be composed of from five to seven members appointed by the President of the University and shall meet at the call of the Chairman as often as matters require review. Close liaison shall be established with, and the decisions of the faculty Patents Committee shall be reported to and

reviewed by, the Trustees Committee on Patents. The chairman of each appropriate department shall designate a member of each department who shall take the initiative in consulting with researchers as to the desirability of patenting discoveries.

5. Members of the faculty shall be free to make their own agreements respecting patent rights arising out of consulting contracts for services outside the University, and these shall be governed solely by the mutual understanding of the parties thereto. The dean of the appropriate school and the Dean of Faculties shall be notified of all patents attributable to such agreements by the researcher involved.

6. Research resulting from contracts with or grants from commercial firms shall be conducted only under written arrangements which guarantee to the University complete freedom of publication of the results of such research and title to any patents covering the same. Although a commercial firm shall not have patent rights arising from research at the University, the University will, on the request of any sponsor of such research, consent to the grant to such sponsor of an irrevocable non-exclusive free license to the use of any patents or patent rights arising out of such research. Patent rights arising out of government contracts are also subject by contract to an irrevocable non-exclusive free license to the use of patents resulting from such contracted research by the United States Government.

7. If patentable discoveries arise during the course of research in which the faculty Patents Committee determines that the University has no interest, the discoverers or inventors thereof shall be promptly so notified and the University shall release any interest which it may have in such discoveries.

8. The agreement by the Research Corporation and the Northwestern University provides that, on all discoveries or prospective inventions submitted to it, the Research Corporation will make a report to the University and the inventor as to the patentability and commercial feasibility of the particular invention or discovery without cost, either to the inventor or to the University, and in the event they proceed to patent items determined to be patentable and commercially feasible, the Research Corporation will bear all the cost involved in patenting, developing and licensing the patents and net proceeds will be divided one-half to the Research Corporation and the other half in accordance with paragraph three hereof. The Research Corporation is a nonprofit corporation serving many universities in this capacity and all of its funds over and above necessary expenses are allocated to grants and awards for research at educational institutions.

9. The policy herein declared may be changed or discontinued at any time by action of the Board of Trustees appropriately taken. Such change or discontinuance, however, shall not affect any rights accrued hereunder prior thereto.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 50% of the net income accruing to the University from the sale or exploitation of any patents obtained on the invention.

PRINCIPIA COLLEGE

Elsah, Illinois

No formalized research or patent policy; each case is handled individually on its merits in such manner that the College shares to some extent in any financial benefits derived from patents. No patent management agency.

QUINCY COLLEGE

Quincy, Illinois

No formalized research or patent policy; as a general practice the College observes a laissez-faire or hands-off attitude. No patent management agency.

SOUTHERN ILLINOIS UNIVERSITY

Carbondale, Illinois

Formalized research and patent policy, adopted 23 September 1954 by the Board of Trustees of the University; applicable on a university-wide basis, effective 1 July 1954:

> A. Independent research. Research conducted by a staff member on his own time and at his own expense shall be termed independent research.
>
> 1. No claims or restrictions shall be placed by the University on any copyrights, patents, patent rights or discoveries obtained as the result of independent research.
>
> 2. The individual researcher, however, may voluntarily assign all or part of his claim to the results of such research to the University.
>
> B. University sponsored research. Research conducted by a staff member with the help of the University, either in the form of a grant or grants or in time assigned to research, or both, shall be termed University sponsored research.
>
> 1. If University aid does not exceed $1,500 in a fiscal year, or a cumulative total of $5,000, for an individual's research, either in actual funds or in salary for assigned time or in both together, the University will not be considered as having established a right to share in the results.
>
> 2. In the results of research aided by the University beyond the amounts specified above and in results obtained when research is part of the regular duties and responsibilities of the staff member the University and the researcher shall share equally, unless an agreement in writing shall specify otherwise. Individual participants in such a University sponsored program shall be considered to have agreed to that principle.
>
> 3. The University, or its designated agent, shall assume full responsibility for obtaining a patent or copyright, and for protecting and promoting the property rights inherent in such patents and copyrights, for inventions and developments arising from University sponsored research. Such inventions and developments shall be used to produce the greatest benefit to the University and the public.
>
> 4. Staff members shall have the responsibility of reporting to the proper University authorities any invention or development coming from University sponsored research which should be protected by patent or copyright.
>
> 5. When an agreement delineating individual and University rights, claims and responsibilities is made, it shall be made in writing before application for a patent or copyright resulting from University sponsored research is submitted to the United States Government.
>
> 6. Any controversy or claim arising out of or relating to this statement of policy or an agreement between an individual researcher and the University delineating individual and University rights, claims and responsibilities, or the breach thereof, shall be settled by arbitration in accordance with the rules, then obtaining, of the American Arbitration Association and judgment upon the award rendered may be entered in the highest court of the forum, state or national, having jurisdiction.

> C. Externally sponsored research. Research contracts between the University and other agencies shall state clearly the obligations and rights of the University and of the cooperating agency and the procedure to be followed in case patentable discoveries or materials subject to copyright grow out of the research. In each case the University shall be free to negotiate with the sponsoring agency, so far as patent and copyright rights are concerned. (The custody and expenditure of all funds involved in externally sponsored research shall be under the jurisdiction of the Business Manager of the University, who shall be responsible for filing fiscal reports as required by the contract. Supervision of the purposes of the contract shall be the responsibility of the Dean of the Graduate School. Any such contract shall be approved by both the Dean of the Graduate School and the Business Manager before becoming effective.)

Patent management agency: the Southern Illinois University Foundation, a separately incorporated nonprofit organization established 16 November 1942, with respect to any inventions or patents thereon assigned to the University, either voluntarily or in accordance with the terms of the policy or a research contract; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, unless prescribed by the terms of a research contract; when an invention is assigned to the Foundation, the inventor and the University share equally in the income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF CHICAGO

Chicago 37, Illinois

Formalized research and patent policy, adopted in July 1943 and amended 6 December 1954 by the Board of Trustees of the University and incorporated as Statute 21 in the University Statutes; sponsored research is conducted in accordance with prescribed procedures; applicable on a university-wide basis:

> The basic policies of the University of Chicago include complete freedom of research and the unrestricted dissemination of information. Research done primarily in anticipation of profit is incompatible with the aims of the University. The University recognizes that in the course of its research activities ideas or processes may be developed from which patents should be obtained for the benefit and protection of the public interest. It reserves the right, through contract or otherwise, to make appropriate disposition of patents based upon work done within its laboratories or with the aid of its facilities.
>
> Neither the University nor any members of its staff shall retain ownership, management or licensing responsibilities for patents resulting from research or other activities carried out at the University or with the aid of its facilities. Any patents based upon research at the University must be assigned to some organization independent of the University which is deemed able and willing to accept and administer patents. The conditions governing such assignments are to be determined by the University administration in consultation with the inventor, and shall be not in conflict with the basic policies of the University or with its obligation to uphold professional ethics.
>
> When research projects receive substantial aid through grants from industrial organizations, the University will furnish relevant research reports to the grantors and may assign patents to them, by prior or subsequent arrangement, but will retain the rights to publication of results. The University will not permit its name or names of members of its staff to be used in advertising.

Patent management procedure: patents may be taken on new discoveries and inventions resulting from research at the University but must be assigned, with or without provision for financial return to the University or members of its staff, either to sponsors of contract research or grantees, to the Government or to Research Corporation or other organization designated by the University or the inventor or else placed in the public domain by dedication, under conditions determined by the University administration in consultation with the inventors.

UNIVERSITY OF ILLINOIS

Urbana-Champaign, Illinois

Formalized research and patent policy, originally adopted 10 March 1936 by the Board of Trustees of the University and, as subsequently revised, contained in the University of Illinois Statutes as approved 16 January 1957 and in the general rules concerning University organization and procedure as approved 17 December 1957; sponsored research is conducted under the administrative coordination of the Agricultural Experiment Station for the College of Agriculture, the Engineering Experiment Station for the College of Engineering and the University Research Board for all other units of the University; applicable on a university-wide basis, including the Chicago Professional Schools and the undergraduate division located in Chicago:

> The principle is recognized that the results of experimental work carried on by or under the direction of the members of the staff of the University and having the expense thereof paid from University funds or from funds under the control of the University belong to the University and should be used and controlled in ways to produce the greatest benefit to the University and to the public.
>
> Any member of the staff of the University who has made an invention as the direct result of his regular duties on University time and at University expense may be required to patent his invention and to assign the patent to the University, the expenses connected therewith to be borne by the University.
>
> The above shall not be construed to include questions of ownership in copyrights on books or inventions made by members of the staff outside of their regular duties and at their own expense.
>
> Any discovery or invention (1) which is the result of research carried on by or under the direction of any employee of the University and having the costs thereof paid from University funds or from funds under the control of or administered by the University, or (2) which is made by any employee of the University as a direct result of his duties with the University or (3) which has been developed in whole or in part by the utilization of University resources or facilities belongs to the University and shall be used and controlled in ways to produce the greatest benefit to the University and to the public.
>
> Such discovery or invention must be submitted to the University Patent Committee for study as to disposition and recommendation to the President and Board of Trustees. The University Patent Committee, a subcommittee of the University Research Board, is appointed by the President to examine and study discoveries and inventions made by employees of the University in which the University may have an interest.
>
> The Board of Trustees may direct that such discovery or invention be:
>
> (1) Released outright to the discoverer or inventor.

(2) Retained by the University in its own right or transferred to the University of Illinois Foundation for commercial development.

(3) Released to the individual or agency sponsoring the research under which the invention or discovery was made, if such action is required under the terms of the research contract with such agency or individual, or is required by law or if the interests of the University and the public so indicate.

The discoverer or inventor may be required to apply for a patent and assign his interest therein. In unusual situations, when in the judgment of the Patent Committee immediate filing of an application for a patent is necessary to protect the interests of the University, the Committee may act to accomplish this prior to the report and recommendation to the Board of Trustees.

In the event that income is received by the University or the University of Illinois Foundation from any patent assigned in accordance with the preceding paragraph, all cost of procuring and administering such patent shall first be paid from such income. A proper share of the remaining net income shall be paid to the inventor or discoverer. This share is to be determined solely by the Board of Trustees, after considering the recommendations of the President and the University Patent Committee.

Contracts or grants from outside sponsors which carry the provision that the sponsoring agency may determine the disposition of patentable discoveries developed thereunder may be accepted by the University, when required by federal statute or the established policies of the sponsoring agency, and when that agency is governmental or nonprofit in character, and when the action of the University in waiving its rights to such discoveries is determined to be clearly in the public interest.

Generally, if patentable discoveries result from research sponsored by an agency outside the University, preferential treatment in the use of any resulting patent may be accorded that agency.

The foregoing stated patent policy shall not be construed to include the ownership of copyrights or of inventions or discoveries made by employees of the University entirely outside of their duties with the University and without the use of University facilities, resources or financial support.

Patent management agency: the Board of Trustees of the University or, on behalf of the Trustees, the University of Illinois Foundation, a separately incorporated nonprofit organization established 9 August 1935; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University or to the Foundation, the inventor receives a share, usually 10 to 15% (in unusual cases as much as 25% and in rare cases more) of the net income derived from the sale or exploitation of any patents obtained on the invention, as determined by the Board of Trustees on recommendation of the President and the University Patent Committee.

WESTERN ILLINOIS UNIVERSITY

Macomb, Illinois

Formalized research and patent policy, formulated by the University Research Council and adopted 5 January 1962 by the Illinois State Teachers College Board; applicable on a university-wide basis effective September 1962:

1. Patentable discoveries resulting from the work of a faculty member who has received no special financial support from the University for the work shall remain the exclusive property of the individual. Payment of salary for normal academic work and use of facilities normally available in the teaching departments and within the University shall not form the basis of a claim of equity by the University.

2. Patentable discoveries resulting from work for which the individual has received special financial support from the University will be submitted to the research council. Upon action by the research council, the discovery should be submitted to a nonprofit patent management corporation with whom the University should have a previous agreement concerning patent development and management. Such agreement should include a clear statement and recognition of the individual's equity in the commercialization of the patent. If the discovery is not accepted by the patent management corporation for patent development or commercialization, then it should be returned as the exclusive property of the individual.

3. Patentable discoveries resulting from work supported by government agencies and nonprofit research foundations should, in general, be treated according to 2 above. Grants-in-aid-of-research from such sources usually do not cover the entire costs of the research and the University, in accepting contracts or agreements for such research, in reality becomes obligated for support of the work. This should not be construed, however, to mean that the University would not accept agreements with such agencies that require special provisions concerning patent rights.

4. Discoveries resulting from work supported completely by an outside party, with necessary provisions made for all indirect costs and overhead, shall be handled by prior agreement between the investigator and the supporting party, and the University shall have no claim to the discovery.

5. Any funds made available to the University by the commercial development of discoveries made under 2 and 3 above shall be used by the University exclusively for support of further research within the University.

6. The University will not permit its name nor the official positions of its faculty to be used in advertising or promotion of commercial developments resulting from research conducted at the University.

No patent management agency, although the University may utilize the facilities of a nonprofit patent management organization; as indicated in the policy statement above, the equities of inventors in their inventions are recognized.

BALL STATE TEACHERS COLLEGE

Muncie, Indiana

No formalized research or patent policy; the Bureau of Research is responsible for the coordination of all sponsored research; the College reserves the publication rights in the results of such research. No patent management agency.

BUTLER UNIVERSITY

Indianapolis, Indiana

No formalized research or patent policy; under action taken by the Board of Trustees of the University on 16 April 1956 all extramurally supported research conducted or supervised by University personnel is subject to approval by a committee appointed by the President and selected from the broad areas of the sciences. No patent management agency.

DEPAUW UNIVERSITY

Greencastle, Indiana

No formalized research or patent policy; each situation is handled on an individual basis and sponsored research grants and contracts are subject to approval by the President or Dean of the University. No patent management agency.

EVANSVILLE COLLEGE

Evansville 4, Indiana

No formalized research or patent policy; as a general practice each situation is handled individually on its merits. No patent management agency.

FRANKLIN COLLEGE

Franklin, Indiana

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency; inventions and patentable discoveries are left to the inventor and the only claim the College makes against any income realized from the sale or exploitation of patents obtained on an invention is reimbursement of charges for rental of equipment, space and College labor involved in the patent development or subsequent productive work.

INDIANA UNIVERSITY

Bloomington, Indiana

No formalized research or patent policy, although such a policy is currently in process of development; as a general practice each situation is at present handled on an individual basis, including sponsored research conducted under arrangements made by the Indiana University Foundation, a separately incorporated organization established 15 June 1926, which utilizes University personnel and facilities under a contract between the University and the Foundation; sponsored research contracts may provide reservation of patent rights to the sponsor and sharing of royalty income with the inventor.

Patent management agencies: the Indiana University Foundation and also Research Corporation under a patent development agreement with the Foundation; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation or Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of patents obtained on the invention.

PURDUE UNIVERSITY

Lafayette, Indiana

Formalized research and patent policy, originally adopted 12 June 1948 by the Board of Trustees of the University, amended 16 April 1952 and revised 1 November 1955; applicable on a university-wide basis to both staff members and students of the University, including sponsored research handled by the Purdue Research Foundation, a separately incorporated nonprofit organization established 30 December 1930 as an outgrowth of an all-university Department of Research Relations established in 1928 by the Board of Trustees of the University:

> I. Principle of ownership. Technical information, discoveries, inventions, industrial values and patents resulting from research or investigation conducted by staff members or students of the University, on its time or with its facilities, are the property of the University and shall be assigned to the University or its designee.
>
> In the event investigation results in discoveries or inventions which according to common usage may be patented, the University reserves the right to protect such inventions by patent application, implicitly governing its action with due regard to the protection of the rights of the University and the interests of the employee inventor, the sponsor and the student or investigator who has carried out the research contributory thereto, either as a thesis or as an assigned research project. The University shall own right, title and interest in such patents, reserving the right to direct the assignment thereof to others.
>
> II. Equities of participating parties. It is the policy of Purdue University, with reference to all creative endeavors of its staff members and students conducted on its time or with its facilities, to recognize the interests of the University, the staff member, student, sponsor and other cooperating or participating agencies. It is recognized that patents or inventions might arise from research conducted on several different bases as noted below.
>
>> (1) Investigations financed wholly by the University, that is, sponsored by the University and carried out by public funds and by persons paid by the University. The principle of ownership is stated in paragraph I above. Should a patent or discovery which is assigned to the University or its designee bring in a net return in excess of the cost of obtaining such patent, the payment of a just compensation to the discoverer or inventor shall be paid from the net proceeds. In general, just compensation shall be considered to be $33\frac{1}{3}\%$ of such net proceeds.
>>
>> If the invention is a joint discovery arising from research done on theses or dissertations or in connection with thesis or dissertation problems, the

amount allotted shall be divided 50% to the faculty member who has directed the research and 50% to the graduate student or students who have helped with the work.

(2) Investigations financed wholly or partially by governmental, industrial, philanthropic or other organizations or by an individual not employed by the University. In this case the research shall be prosecuted under a contract or written agreement stating the rights and ownership of patents which may result from the research. Before work is started on a program covered by such an agreement or contract the principal investigator shall be advised of his specific rights thereunder and the principal investigator shall be responsible to advise his co-workers of their rights. In general, it shall be the policy to approximate the same conditions as prevail in paragraph II (1) above.

(3) Investigations performed by an employee of the University wholly or partly on his own time and at his own expense. Such cases shall be brought to the attention of the President of the University. The President, with the aid of such advice as he may seek, shall determine whether the invention is of Type A, Type B or Type C.

Type A. When a discovery is made wholly at the expense of the individual, without the use of University facilities and outside the normal field of the individual's employment, the results of such research are the private property of the investigator.

Type B. When a discovery is made partly at the expense of the individual, with the use of University facilities or in the normal field of the individual's employment, the procedure shall be the same as in paragraph II (1) above, except that, in general, just compensation shall be considered to be 50% of the net proceeds.

Type C. When a discovery is made by an individual acting as a consultant, the following procedure shall apply. University regulations require that staff members obtain authority to act as consultants by request to the President of the University. If patents may be involved in the course of the consulting service, this subject must be covered in the request to do the work. If the individual is asked to sign an agreement covering patent matters as part of the consulting arrangement, a copy of that agreement must be attached to and become a part of the request to perform the consulting work. The President may give permission to assign patents resulting from consulting work to other than the University or its designee by approving the request to perform the consulting services (provided the work is done without the use of University equipment or facilities).

(4) At the time that arrangements are made to apply for a patent in accordance with sections (1), (2) or (3) Type A or Type B above a specific agreement shall be prepared covering the just compensation to the discoverer or inventor.

(5) In any event, the Board of Trustees of Purdue University must and does reserve the right to administer such equities consistent with the public interest as determined by said Board from time to time.

Patent management agencies: the Purdue Research Foundation and also Research Corporation under a patent development agreement with the Foundation, both for the University and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the

Foundation or to Research Corporation, the inventor receives 33⅓% or 50% of the net income derived from the sale or exploitation of any patents obtained on the invention, as specified in section II of the policy statement above.

ROSE POLYTECHNIC INSTITUTE

Terre Haute, Indiana

No formalized research or patent policy, although the formulation of such a policy is currently in process of development; as a general practice each situation is at present handled on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the Institute; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not more than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SAINT JOSEPH'S COLLEGE

Rensselaer, Indiana

No formalized research or patent policy, although the formulation of such a policy is currently in process; as a general practice each situation is at present handled on an individual basis. No patent management agency.

UNIVERSITY OF NOTRE DAME

Notre Dame, Indiana

Formalized research and patent policy, adopted 1 May 1953 as recommended to the Administration by the Advisory Council for Science and Engineering of the University; currently under review for the purpose of bringing it up-to-date; applicable on a university-wide basis to faculty and students:

> I. Policy governing the patent relationships to the University of faculty members, scientific and technical personnel and students
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> 1. The University recognizes the right of faculty members, scientific and technical personnel and students to obtain patent rights for any patentable discovery or invention issuing out of University-supported research and to arrange as they think desirable for the disposition of these rights.
>
> 2. This freedom to obtain patent rights does not extend to discoveries or inventions relating to public and individual health nor to those which are made in pursuit of research sponsored by private or governmental agency and for which the University is under obligation to the sponsors. In these cases every discovery or invention must be reported promptly to the Patent Committee of the University which will proceed in accordance with the policy set forth hereinafter.
>
> 3. The Patent Committee of the University shall be appointed by the President under the chairmanship of the Vice President in Charge of Business Affairs.
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> 4. The duties of the Patent Committee are:
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> > a. To decide as promptly as possible whether it is probable that each reported invention is patentable. In reaching its decision the Committee shall have the right to seek scientific, technical and legal advice from outside.

b. To initiate the obtaining of patents in accordance with the policy governing patent relationships of the University to other organizations.

c. To determine for purposes of patent authorship and royalty distribution the contribution of each inventor where more than one inventor is responsible for an invention or discovery.

5. The University, through its Patent Committee, is prepared to assist faculty members, scientific and technical personnel and students who wish to bring to it discoveries or inventions issuing out of University-supported research, the assistance to be given in accordance with the policy set forth hereinafter.

6. If the University has patent rights as provided in paragraph 2 above or if the University is requested to assist as provided in paragraph 5 above and if an invention or discovery is judged patentable and worthy by the Patent Committee, the inventor or inventors will agree, without charge to the University but at its expense, to execute and deliver to the University all documents necessary to apply for, secure and maintain patent protection throughout the world for such invention or discovery and to vest the entire right, title and interest therein and thereto in the University, with the understanding that if no patent application is filed by the University, or its agent or assignee, for such invention or discovery within one year from the date of its disclosure to the Patent Committee, all rights to such invention or discovery will, on written request, be revested in the inventor or inventors. Furthermore, if no arrangement has been made for commercial development within two years from the date of the issuance of the patent, the inventor or inventors may request in writing a return of the patent rights. If the University has not entered into a commercial agrement within six months from the receipt of this written request, the full patent rights shall then revert to the inventor or inventors on reimbursement to the University of expenses incurred in obtaining the patent.

7. When an invention or discovery is judged by the Patent Committee not to be patentable or worthy, it shall be returned to the inventor or inventors as promptly as possible.

8. From the date on which disclosure of an invention or discovery is made to the Patent Committee, the inventor or inventors agree not to disclose or publish, or authorize anyone else to disclose or publish, any secret or confidential knowledge pertinent to such invention or discovery without written authorization of the University until such time as the patentable nature of the invention or discovery is decided and, where this decision is positive, until such time as patent application has been filed with the Patent Office.

9. For any patent assigned to the University, the University agrees to the following scale of distribution of any annual income which may accrue to the University from royalties or other sources, less direct expenses incurred by the University in securing and maintaining the patent:

a. The inventor or inventors to receive 50% of annual net income up to $15,000.00

b. The inventor or inventors to receive 10% of all annual net income over $15,000.00

10. In the event of any disagreement between the University and inventor or inventors, an arbitration board shall be appointed which will consist of two members chosen by the University, two members chosen by the inventor or inventors and one member chosen by mutual agreement. All members must be chosen within fifteen days after the University has chosen its two members. The decision of the arbitration board shall be final.

11. Acceptance of this policy by a faculty member shall be effected through the signing of his University contract.

12. Acceptance of this policy by scientific and technical personnel and by students shall be effected by a special agreement.

II. Policy governing the patent relationships of the University to other organizations

1. For inventions or discoveries issuing out of University-supported research and vested in the University in accordance with paragraph 6 of Section I, the University may, subject to the provisions of paragraph 9 of Section I, retain, license or assign such patent rights. When such patent rights are assigned to commercial or industrial organizations, there shall be ordinarily in the agreement provision for the licensing of others under these patents on the basis of reasonable royalties and terms. When the University retains patent rights, it shall be further determined whether licensees are to be granted nonexclusive or exclusive license under the patents. If exclusive license is granted, it shall be ordinarily subject to cancellation or to time limit with the University reserving the right to renew or not to renew the exclusive license. The time period in which the exclusive licensee must reduce the patent to practice or forfeit the license shall also be determined, as well as royalty rates and minimum annual income to the University.

2. For inventions or discoveries issuing out of privately sponsored research, it shall be determined in the initial contract whether the University shall retain patent rights or assign them to the sponsor subject to mutually satisfactory conditions. When the University retains patent rights, the same provisions in regard to nonexclusive or exclusive license, cancellation of exclusive license, etc. as set forth in paragraph 1 immediately above shall be written into the agreement.

3. For inventions or discoveries issuing out of Government-sponsored research, the patent policy of the University will necessarily conform to the patent policy clause of the contract covering the research.

4. In all cases the University reserves the right to publish the results of its research and any qualifications to this right shall be expressly determined in the contract covering private or Government-sponsored research.

5. All net income to the University received from patents shall be used to further the academic and scientific work of the University.

No patent management agency other than the Advisory Council for Science and Engineering and the Board of Trustees of the University, both acting in an advisory capacity; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a specified share of the net income obtained from the sale or exploitation of any patents obtained on the invention.

VALPARAISO UNIVERSITY

Valparaiso, Indiana

No formalized research or patent policy, although the formulation of a policy is currently under study by a committee; at present each situation is handled on an individual basis. No patent management agency, but negotiations are in progress with Research Corporation.

COE COLLEGE

Cedar Rapids, Iowa

No formalized research or patent policy; as a general practice each situation is considered on an individual basis by the administration of the College. No patent management agency.

DRAKE UNIVERSITY

Des Moines 11, Iowa

No formalized research or patent policy; as a general practice each situation is handled on an individual basis; contractual research is conducted under a memorandum of agreement mutually acceptable to the University, the participants in the research and the sponsoring organization. No patent management agency.

GRINNELL COLLEGE

Grinnell, Iowa

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 30% of the net income derived from the sale or exploitation of any patents obtained on the invention.

IOWA STATE UNIVERSITY

Ames, Iowa

Formalized research and patent policy, originally adopted 1 November 1934 by the Iowa State Board of Regents and amended 1 November 1938 and 1 November 1950; sponsored research is conducted in accordance with the research contracts entered into and subject to the approval of the President of the University before the research is undertaken and inventions resulting from such research are subject to the terms of the research contracts; applicable on a university-wide basis and administered by a faculty Patent Committee:

> 1. It is recognized that inventions and discoveries that are the outgrowth of the research of members of the staff of Iowa State University are seldom the results of the efforts of a single individual. On the contrary it is usually true that many individuals contribute to a project at various stages of its development and that the inventor utilizes information developed by others in reaching the culmination of his project. Thus the research that is the basis of an invention arising in this manner usually employs funds that have been contributed by the state and ideas that have been contributed by many individuals.

2. It is desirable to insure the control for the benefit of the public of the inventions that grow out of the scheduled work of members of the staff. Publication alone does not always accomplish that because the University publications are scrutinized closely by industrial research organizations and published University research results may become the basis of patents held by others. The only feasible method of controlling such inventions appears to be by means of patents held by the University or an agency established by it and administered so as to safeguard all interests.

3. In view of the foregoing the policy has been established at Iowa State University of securing patents to be controlled by the University, or an agency established by it, on inventions that are the outgrowth of the research work of members of the staff, when that is believed to be for the best interest of the state. It is not the purpose to secure patents merely because there appears to be the possibility of revenue accruing, nor is the research program to be directed away from fundamental research into development work in the hope of securing valuable patents.

4. Administrative officers of the various divisions, stations and departments are expected to report to the President, or a committee set up by him, inventions and discoveries that come to their attention and are believed to be sufficiently important to be patented. Any member of the staff may submit an invention or discovery to his administrative superior for consideration for patenting, or administrative officers may suggest to a staff member that he submit an invention or a discovery to be considered for patenting.

5. The agency established by the University is to administer the patents which have been assigned to said agency, either by dedicating the patent to the public or by licensing its use, whichever is believed will best serve the public interest. In case the use of the patent is licensed the terms of the license shall be fixed so as to safeguard adequately the interest of the state.

6. Inventions and discoveries that are the outgrowth of research conducted at Iowa State University in cooperation with industrial corporations may also be patented, but in that case the ownership of the patent, the licensing basis and the details of the control of the use of prospective patents are to be fixed by an agreement entered into with the cooperating agency before the research is undertaken. In all such cases the University shall reserve the right of publication of the results of the research and any agreement with reference to patents in such cooperative arrangements shall have in view the public interest. All such agreements shall conform to the Statement of Principles Relating to the Negotiation and Acceptance of Research Contracts promulgated by the Business Office of the University on March 6, 1950.

7. When a member of the staff has assigned a patent to the University or an agency established by it the said staff member will receive a bonus in a sum equal to 15% of the net receipts from the licensing of the patent, such bonus to be paid annually as accrued, accompanied by a detailed statement of receipts and expenditures on account of the licensing of that patent. Net receipts will be interpreted to mean receipts after the expenses of securing and licensing the patent have been earned and the current year's costs of administering the patent have been deducted from the receipts from licensing and in addition, a reserve of not to exceed 5% of the gross receipts has been set aside in a litigation fund. In no case shall the current year's costs of administration be less than 10% of gross receipts.

8. The desirability of securing a patent on a particular invention or discovery is to be investigated by a committee on patents set up by the President. The committee will consist of five members appointed by the President on such a basis

that normally not more than two new members will be appointed in any year after the first. This board will determine whether the invention or discovery should be patented in order to safeguard the interests of the University and the public, taking into account among other things the relation of the invention to agriculture and the other industries in the state and a possible relation to the life and health of the people of the state.

9. The Iowa State University Research Foundation, Inc. is the agency provided by the University to which members of the staff may assign patents and similar properties which are directly or indirectly the outgrowth of research upon which said staff members have been engaged while in the employ of the University. The expenses of the Iowa State University Research Foundation, Inc. are paid from the receipts from the licensing of patents and in the event that these are insufficient, it may employ other funds that may be made available to it.

10. It is to be the policy of the Research Foundation to employ the net earnings from patents exclusively for the promotion of research at Iowa State University. It will allocate from such funds to specific research projects only upon the recommendation of the President or his authorized representative. Upon recommendation of the President or his authorized representative all, or a portion, of the net earnings from patents in any year will be employed to accumulate an endowment fund, the earnings of which are to be used to promote research at Iowa State University.

11. This statement of policy is not to be construed to mean that a member of the staff is expected to assign to the University either the patent on an invention which has been developed upon the staff member's own initiative and time and has no direct relation to any of the research work upon which he has been engaged for the University or the copyright on his book manuscripts or other literary or artistic productions. In such cases a patent or copyright may be secured and held by the inventor or writer. It is furthermore contemplated that if in any case it is deemed inexpedient for the University or its authorized agency to hold the patent on an invention or discovery of a staff member, it will then be permissible for the staff member himself to secure a patent and to license or dispose of the same.

12. When the exigencies of a particular case require that copyrights or trademarks be secured to protect publications or products that are the outgrowth of the work of the University, these shall be handled in the same general manner as inventions that are to be patented.

Patent management agency: the Iowa State University Research Foundation, an incorporated nonprofit organization established 13 October 1938; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, a bonus equal to 15% of the net income derived from the sale or exploitation of any patents obtained on an invention assigned to the Foundation is paid to the inventor.

PARSONS COLLEGE

Fairfield, Iowa

No formalized research or patent policy, although currently under study by the College Faculty Development Committee; sponsored research is handled through the director of development. No patent management agency; at present the College observes a laissez-faire or hands-off attitude with respect to inventions and patents.

STATE UNIVERSITY OF IOWA

Iowa City, Iowa

Formalized research and patent policy, adopted 15 March 1949 by the Iowa State Board of Education (now the Iowa State Board of Regents); currently under review and revision; applicable on a university-wide basis to both faculty and students:

1. University patent committees. The policy of the University in respect to patents shall be administered by two committees, subject to approval from time to time of the President and the Iowa State Board of Education. The two following committees shall be appointed by the President:

(a) The General Patent Committee. It shall consist of representatives of various colleges and departments of the University that may be concerned with patent affairs so that the problems and points of view of these various colleges and departments may be represented and that effective liaison between them and the Committee may be maintained.

(b) A smaller Business Management Committee shall be appointed from members of the General Patent Committee.

2. Faculty or staff inventions. When a member of the faculty or staff of the University, including post-doctoral research employees or fellows, in the course of his academic or staff activities makes an invention, he may consult with the General Patent Committee about the issuance of a patent, either through the chairman of the Committee, or the representative of his department on the committee, if there is one. If he desires to have the matter handled in accordance with the following section of this statement of policy, the committee will proceed in accordance with the same. If the methods therein set forth or procedure would in any case involve undue delay in the securing of protection, the inventor may file an application for patent on his own responsibility with the U. S. Patent Office. In case he files such application without previously arranging with the General Patent Committee, however, he shall at the earliest possible time thereafter report the matter in full to it.

Any member of the University faculty or staff shall be free to bring any patentable invention of his to the attention of the General Patent Committee for action under the following section hereof, whether it has clearly resulted from his academic activities or otherwise.

If a member of the University faculty or staff desires to obtain a patent on his own responsibility, he may file an application for the same whether he has consulted the General Patent Committee or not, but he will be expected to furnish promptly to the General Patent Committee a copy of any such application and a copy of the patent when issued. The Committee may raise the question whether the University has an equity in the proceeds of any invention. It is expected that the determination of the character and the amount of University's equity shall take into account the use of University materials and facilities and the relationship of the invention to his regular employment. It is expected that the same procedure will be followed in connection with any other question arising out of the patent policies.

3. Student inventions. When a student registered in the University receives credit toward any degree for work resulting in an invention, such invention and all patent rights thereto shall become the property of the University and any income accruing to the University from the same shall be used to promote education and research. Provided, however, if any prospective student before regis-

tration shall disclose to the head of the department in which he desires to register the previous conception of a potentially patentable invention, such department head, prior to registration of such student but not afterwards, may with the approval of the General Patent Committee enter into a written contract making provision for reservation of some equitable fractional ownership of such patent to said student. A copy of every such contract shall be promptly delivered to the chairman of the General Patent Committee of the University.

4. Procedure of committees upon notification of invention. When a question of patenting a particular invention is brought to the attention of the General Patent Committee, the said committee will decide upon the soundness of the scientific basis of the invention and upon the advisability of patenting according to the University policy. If the General Patent Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the General Patent Committee reaches a positive conclusion or is in doubt, it will refer the matter to the Business Management Committee for patents to ascertain its opinion. If the Business Management Committee is unwilling to proceed, the General Patent Committee will decide whether the matter shall be turned back to the inventor or other steps taken. If the Business Management Committee desires to accept responsibility for applying for a patent and developing commercial possibilities of the invention, it will suggest to the inventor that he assign the invention to the State of Iowa for the use and benefit of the State University of Iowa, and proceed with the same.

5. Grants for research projects. In accepting a grant from any business organization for the purpose of research, it shall be the intent of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not primarily for the solution of specific industrial problems in which such business corporation may be interested. All agreements concerning inventions and patents contained in such transactions at the University shall be set forth in written form and shall be ineffective until submitted by the General Patent Committee to the President and approved by the Iowa State Board of Education.

If such a grant is accepted from an industrial or business corporation for the purpose of research in accordance with the above paragraph, it shall be expressly agreed that, should an invention result from the research, the University and the inventor will handle such invention in accordance with the preceding section hereof and with the further understanding that if an invention is patented in accordance with such section, the corporation making the grant will have special consideration. In case the corporation desires a specific definition of such special consideration, the method to be used in establishing the same shall be agreed upon in writing at the time the grant is made.

If such business corporation sponsor prefers to proceed in a manner other than that stated in section 4 above, the Patent Committee will discuss such proposal with the corporation and submit it to the Iowa State Board of Education as aforesaid.

To the extent that they are applicable, the same policies and procedures may be followed in relation to U. S. Government grants for research, provided, however, grants may be accepted from the U. S. Government on the basis of any contract or conditions imposed by it, if not regarded as contrary to the best interests of the University.

6. Fellowships. It shall be understood that the foregoing policies with respect to grants for research from business corporations shall not be applicable to fellowships made available to the University by similar organizations. The holders of such fellowships who are working for university credit shall be subject to the same regulations and restrictions as members of the University student body

which appear in the foregoing at section 3, but companies providing fellowships, if they request the same, may be granted rights and privileges similar to those granted to sponsors providing grants for research.

7. Expenditures of funds derived from patent income. Any funds which may be received by the University as a result of this patent policy shall be available to be used at the discretion of the President of the University for furthering research and scholarships in the University and for payment of awards to be made by the President with the understanding that preferential consideration shall be given to the needs of particular fields of research which gave rise to any patents the income from which may be concerned.

Patent management agency: the Iowa State Board of Regents in behalf of the University; as indicated in the policy statement above, the equities of the inventors in their inventions are recognized and, on the recommendation of the General Patent Committee of the University and with the approval of the Iowa State Board of Regents, the inventors may, at the discretion of the President of the University, share in funds received from the sale or exploitation of patents on their inventions; such funds may also be used for furthering research and scholarships in the University and for payment of awards.

UNIVERSITY OF DUBUQUE

Dubuque, Iowa

No formalized research or patent policy; as a general practice, under a resolution of the Board of Directors of the University, all research at the University is coordinated by the Dean of the College of Liberal Arts and patent rights in inventions are left to the inventors, except in sponsored research when proscribed by the terms of a research contract. No patent management agency.

WARTBURG COLLEGE

Waverly, Iowa

No formalized research or patent policy; research activities at the College are coordinated, evaluated and approved by a faculty committee on research; patent rights resulting for such research are left to the individual inventor, provided he has fulfilled all obligations under contractual research and, if an invention or product of monetary value results from research supported by a grant from the committee, the inventor is expected to reimburse the committee in the full amount of the grant. No patent management agency.

KANSAS STATE UNIVERSITY

Manhattan, Kansas

Formalized research and patent policy, originally adopted 31 October 1941 and amended 21 October 1948 and 16 September 1960 by the Kansas State Board of Regents; applicable on a university-wide basis and administered by a faculty Advisory Committee:

> All patents obtained on inventions resulting from University sponsored research shall be assigned to a corporation (hereinafter called the Foundation), independent of the University but composed of alumni of the University and other qualified individuals and created for the purpose of obtaining patents on inventions, receiving gifts, administering or disposing of such patents and promoting research at Kansas State University by every proper means; and that the following regulations are adopted as the University policy with respect to patenting inventions:
>
> 1. Anyone who believes that an invention resulting from a research project sponsored by the University should be patented shall present the matter to an Advisory Committee consisting of faculty members, appointed by the President of the University, which will recommend whether or not the Foundation should prosecute a patent application on the invention.
>
> 2. If the Advisory Committee should decide that the invention does not warrant patenting by the Foundation, the inventor will be free to patent it himself. In such a case, however, the University does not relinquish its right to publish any of the data obtained in the research project.
>
> 3. When any revenue is obtained from the sale of any patent or from royalties, license fees or other charges based on any patent, not less than 15% of the gross income shall be paid to the patentee.
>
> 4. The remainder of any profits mentioned in Article 3 shall be used to finance the activities of the Foundation and to sponsor further research in the University, except that a portion of such funds may be retained by the Foundation as a reserve for meeting future expenses.
>
> 5. In the case of cooperative research sponsored in part by an outside corporation or individual, a written contract shall be made between the University and the cooperating agency. This contract should include a statement of policy substantially equivalent to that outlined below:
>
> > It is agreed by the parties to this contract that all results of experimental work, including inventions, carried on under the direction of the scientific staff of the University, belong to the University and to the public and shall be used and controlled so as to produce the greatest benefit to the public. It is understood and agreed that if patentable inventions grow out of the investigation and such inventions have commercial value, the cooperating agency shall receive preferential consideration as a prospective licensee, with a view to compensating said cooperating agency in part for the assistance rendered in the investigation. It is further agreed that the name of Kansas State University shall not be used by the cooperating agency in any advertisement, whether with regard to the cooperative agreement or any other related matter.
>
> 6. In the case of a research project where all costs including overhead, salary of investigator, reasonable rent on the use of equipment, etc., are paid by an outside

> party, said party shall be entitled to have all the patents assigned to him. Even so, the University will reserve the right to publish all data of fundamental value to science and technology.
>
> 7. Changes in the above patent policies may be made by Kansas State University to conform to the requirements of the United States Government when contracting with the United States Government or a Federal government agency.

Patent management agency: Research Corporation on behalf of the Kansas State University Research Foundation, a separately incorporated nonprofit organization established 12 September 1942 to promote research at the University and to represent the University in all patent matters; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF KANSAS

Lawrence, Kansas

Formalized research and patent policy, adopted 11 June 1943 by the Kansas State Board of Regents; applicable on a university-wide basis and administered by a faculty Advisory Committee:

> Any member of the staff who believes that an invention resulting from a research project sponsored by the University should be patented shall present the matter to an Advisory Committee, consisting of faculty members appointed by the Chancellor. The committee will recommend whether or not the Endowment Association should prosecute a patent application on the invention.
>
> If the Advisory Committee should decide that the invention does not warrant patenting by the Endowment Association, the inventor will be free to patent it himself. In such a case, however, the University does not relinquish its position that the results of any research should be freely available to the public.
>
> In the event that any sum over and above the cost of obtaining a patent should be obtained by the Endowment Association, a fair share of the profits (at least 15%) shall be paid to the inventor.
>
> The remainder of any profits mentioned above shall be used to finance the activities of the Endowment Association and to sponsor further research at the University, except that a portion of such funds may be retained by the Endowment Association as a reserve for meeting future expenses.
>
> In the case of cooperative research sponsored in part by an outside corporation or individual, a written contract shall be made between the University and the cooperating agency. This contract should include a statement of policy substantially equivalent to that outlined below:
>
>> It is agreed by the parties to this contract that all results of experimental work, including inventions, carried on under the direction of the scientific staff of the University, belong to the University and to the public and shall be used and controlled so as to produce the greatest benefit to the public. It is understood and agreed that if patentable inventions grow out of the investigation and such inventions have commercial value, the cooperating agency shall receive preferential consideration as a prospective licensee, with a view to compensating said cooperative agency in part for the assistance rendered in the investigation.
>>
>> It is further agreed that the name of the University of Kansas shall not be

> used by the cooperating agency in any advertisement, whether with regard to the cooperative agreement or any other related matter.

> In the case of a research project where all costs including reasonable overhead, salary of investigator, rent on the use of special equipment, etc., are paid by an outside party, said party shall be entitled to have all the patent assigned to him. Even so, the University may reserve the right to publish all material of fundamental value to science and technology, and must reserve such right when the research serves as the basis for a student's doctoral dissertation.

Patent management agency: the Kansas University Endowment Association, a separately incorporated nonprofit organization established in 1894 and authorized by the Kansas State Board of Regents to represent the University in all patent matters; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Endowment Association, the inventor receives at least 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF WICHITA

Wichita 8, Kansas

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a committee appointed by the President of the University; at present each situation is handled on an individual basis. No patent management agency other than the Board of Regents of the University.

Kentucky

CENTRE COLLEGE OF KENTUCKY

Danville, Kentucky

No formalized research or patent policy; as a general practice each situation is considered on an individual basis by the administration of the College. No patent management agency.

UNIVERSITY OF KENTUCKY

Lexington, Kentucky

Formalized research and patent policy, adopted 3 June 1947 by the Board of Trustees of the University; applicable on a university-wide basis:

> I. General policy in regard to patents resulting from research
>
> As a general policy, patent rights resulting from research using staff, materials, equipment and facilities of the University shall be owned and controlled by the University.
>
> II. Policy on relation between the University and a sponsor in regard to patents resulting from research

1. Except as hereinafter specified, patent rights resulting from sponsored research shall be owned and controlled by the University. However, a nonexclusive license (shopright) may be granted without charge to the person, institution or organization which has cooperated in the research.

2. Where the research or development work undertaken by the University is a continuation of research previously initiated by the cooperating person, institution or organization, or where the research done at the University requires further development for commercial application or where for other reasons the public interest will be better served thereby, an exclusive license for a reasonable time may be granted to the person, institution or organization cooperating in the research, upon terms agreed to by the parties to the contract and the further assurance that the benefit of the discovery will become available to the public.

3. In special cases patent rights may be assigned, wholly or in part, to the cooperating person, institution or organization which has paid all the cost of the research plus an additional sum which shall not be less than 10% of the total cost of the work done. The assignment shall provide that in the event the discovery or invention has not been developed or reasonably used within a stated time, which shall be reasonable under the circumstances, the assigned rights shall revert to the University.

4. The University favors the publication of research. However, it will agree to use its best effort to prevent disclosure of facts or data furnished by the sponsors of research or the premature publication of the results of research; but nothing in such agreements shall prevent the publication of research findings after application for a patent based on them has been made or after a reasonable time following the completion of the research.

5. Contracts with sponsors shall preclude any reference to the University in advertising or other publicity without prior authorization in writing.

6. Where the research is done in cooperation with a public agency or institution, the agreement may provide for a total or partial assignment of all patent rights resulting from the research without any provision in regard to the development or use of the discovery or invention.

III. Policy on relation between the University and a member of its staff in regard to patents resulting from research

1. The policy of the University in relation to a member of its staff having an interest in a patentable discovery requires that the staff member shall assign his patent rights to the University but shall have an interest in the patent and share in the returns.

2. The interests of the University and a member or members of its staff shall be determined by a standing Committee on Patents appointed by the President of the University. The staff member shall be present or represented in the deliberations on his case, but the decision of the Committee shall be final and shall determine the interests of the parties in accordance with the following general principles:

> a. If the Committee finds that the research leading to the discovery made by a member of the staff was not related to his employment and was not the result of the use of University materials, equipment, facilities or time, the University shall have no interest in the discovery or patent.
>
> b. If the Committee finds that one or more of these conditions is not true, the University shall have an interest in the discovery and the staff member will assign his patent rights to the University, but he shall have an interest in the patent and share in the returns as determined by the Committee.

c. In determining the interest of the parties, the Committee shall consider whether the University paid or did not pay for the time spent in the research which led to the patentable discovery. It shall consider the extent to which University materials, equipment and facilities were used in the work, the extent to which discovery was due to advice and assistance of other members of the staff and students of the University and the relation between the discovery and the regular duties and work of the staff member.

3. Every member of the University staff is under obligation to report to the Committee on Patents any idea or discovery which he believes to be of patentable value, and the Committee shall make recommendations to the President of the University. The staff member is not obligated to apply for a patent thereon unless the expense is borne by the University or its assignee, but he agrees to cooperate in facilitating such application and to assign his patent rights to the University, or as it may designate, but he shall have an interest in the patent and share in the returns as the Committee on Patents may determine. Nothing herein shall be construed as obligating the University to incur any expense in regard to any patent or application therefor.

4. In the event that the University does not, in a reasonable time, act upon a staff member's report of a "patentable" discovery, he is free to apply for this patent himself and shall own all rights pertaining to it.

5. In case of sponsored research, the contract between the University and the sponsor shall be binding on the responsible members of the staff working on the project the same as if each were a party to that agreement. The respective interests of the University and staff members shall be adjusted on the basis of the right which the University has in any patentable discovery so that each staff member's interest shall be an equitable portion of the University's interest and not of the entire patent right.

6. In entering into an agreement on sponsored research the University will be careful that staff members selected for work on sponsored research are willing to accept the assignment and agree to carry out the obligations assumed under the contract between the University and the sponsor.

7. No member of the University staff shall devote more than one-fourth of his time to sponsored research for which he receives remuneration directly or indirectly from the sponsor unless his employment and compensation by the University be proportionately decreased. The fact that any member of the staff has received or is receiving compensation for approved sponsored research will not be considered as limiting or affecting future increases in salary or as being in any way detrimental to his employment status.

IV. Policy on use of patent rights owned by the University

The University will transfer and assign any rights which it may have in any discovery or patent to the Kentucky Research Foundation as its agent operating in conformity with the above policies, for the purpose of having any proceeds or profits from the use of a patent used for the furtherance of research at the University of Kentucky.

Patent management agency: the Kentucky Research Foundation, a separately incorporated but affiliated nonprofit organization established 17 May 1945; the equities of inventors in their inventions are recognized and, as indicated in the policy statement, the inventor shares in any returns from the sale or exploitation of patents obtained on his invention, as determined by the University Committee on Patents.

UNIVERSITY OF LOUISVILLE

Louisville 8, Kentucky

Formalized research and patent policy, adopted 25 September 1939 by the Board of Trustees of the University and administered by the University Administrative Board of Patents; applicable on a university-wide basis, except with respect to sponsored research conducted by the University of Louisville Institute of Industrial Research, a separately incorporated nonprofit organization established 18 December 1944, such research being subject to the terms of the research contract and the patent waiver agreement required of those engaged in such research projects:

I. Administration of patents and incomes therefrom, if any.

(1) There shall be a University of Louisville Administrative Board of Patents to consist of the President, the Business Manager of the University and not to exceed five persons to be appointed by the Board of Trustees each for a term of three years upon the recommendation of the President, these five persons to be either trustees of the University, administrative officers, members of the teaching staff or alumni.

(2) This Board shall have authority, subject to the direction and control of the Board of Trustees, to accept for and on behalf of the University by assignment or otherwise, either directly or through trustees or holding corporations, patent applications, royalties, licenses or gifts therein governing discoveries, inventions or processes, when produced by members of the staff of the University by use of University laboratories or otherwise.

(3) The Board of Patents shall be also empowered to make charges on such terms and in such way as it may approve, for the use, manufacture, sale or other disposition thereof or the rights therein, with power, subject always to the approval of the Board of Trustees, to arrange for the use or division of the proceeds thereof.

(4) The Board of Patents may not authorize any charge or other obligation upon the funds of the University or incur any liability without previous authority of the Board of Trustees.

(5) The Board of Patents shall make an annual report to the President.

II. Conditions which should attend the inventions or discoveries made by members of the staff of the University. The following regulations shall not be considered to include questions of ownership of inventions or discoveries made by members of the staff of the University outside their regular duties and at their own expense.

(1) Any member of the staff of the University of Louisville who has made a valuable discovery, invention, or who has developed material which should be copyrighted as a result of his duties in the University, may be required to patent this discovery or invention, or copyright the patent, the expense to be borne by the University.

(2) Application for a patent to cover such discovery or invention shall be made in such cases as are recommended by the University of Louisville Administrative Board of Patents and approved by the Board of Trustees of the University of Louisville.

(3) If and when a patent is issued, the patentee shall assign the patent to the Board of Trustees of the University of Louisville.

(4) A patent thus assigned shall be administered by the University of Louisville Administrative Board of Patents in such manner as it may determine, provided that if the patent is sold or royalty for its use is received, one half of the money thus realized by the University shall be paid to the patentee and the other half assigned to the University.

(5) If the discovery or invention is developed in connection with a cooperative investigation and a patent thereon is secured in accordance with the preceding regulations, the cooperative agency shall first be afforded the opportunity to purchase or lease the patent rights or in other manner be shown preferential treatment in recognition of its financial assistance in the conduct of the investigation.

Patent management agencies: the University Administrative Board of Patents on behalf of the Board of Trustees of the University, to whom the inventions are assigned, and the University of Louisville Institute of Industrial Research under the terms of the patent waiver agreement executed by members of its own staff and of the University faculty engaged in research under the auspices of the Institute; except with respect to sponsored research, which is subject to patent waiver agreements signed by those engaged on such research projects, the equities of inventors in their inventions are recognized, as indicated in the policy statement; when an invention is assigned to the University, the inventor receives one half of the money realized by the University from the sale or exploitation of patents obtained on the invention.

Louisiana

LOUISIANA COLLEGE

Pineville, Louisiana

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

LOUISIANA POLYTECHNIC INSTITUTE

Ruston, Louisiana

No formalized research and patent policy, although currently under study by a committee representing all of the Louisiana colleges under the supervision of the State Board of Education; at present research results are preferably published, except when new discoveries are deemed patentable. Patent management agency: Research Corporation; the equities of inventors in their inventions are recognized and, as provided in the patent development agreement with Research Corporation, the inventor receives a share of the income derived from the sale or exploitation of his invention.

LOUISIANA STATE UNIVERSITY

Baton Rouge, Louisiana

Formalized research and patent policy, adopted 26 May 1958 by the Board of

Supervisors of the University; applicable on a university-wide basis to both faculty and staff:

> General policies. The principle is recognized that the results of experimental work carried on by or under the direction of the faculty and staff of the University and having funds under the control of the University (with the exception as indicated below) belong to the University and the public and should be used and controlled in ways to produce the greatest benefit to the University and the public.
>
> When grants are received from the United States Government under the conditions that the title to any patentable discoveries shall be in the name of the United States Government or one of its agencies, it shall be assumed that adequate protection of the public interest is assured.
>
> Conditions of assignment to University. Members of the University faculty having made patentable discoveries and inventions (in whole or in part) on University time and using University facilities shall assign said patent to the University, when in the judgment of the University a patent should be sought. In case the University declines to bear the expense connected with taking out a patent, the discoverer or inventor may take out the patent and control it himself. The procedure to be followed for protecting such interests depends upon the character of the patentable discovery and invention and each case is to be decided upon its own merits.
>
> Agreement with University. The individual assigning patentable discoveries and inventions to the Board of Supervisors shall do so upon the conditions of the agreement with the Board for the obtaining and exploitation of patents. Such agreement shall provide for an appropriate share of the patent royalties, if any, to be paid to the inventor.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention; when an invention is assigned to the University, the inventor receives a share of the income as specified in his individual agreement with the Board of Supervisors.

LOYOLA UNIVERSITY

New Orleans 18, Louisiana

No formalized research or patent policy, although the formulation of such a policy has been under consideration on a university-wide basis, including the New Orleans College of Pharmacy; sponsored research is subject to the approval of a Research Grants Committee. No patent management agency.

SOUTHERN UNIVERSITY

Baton Rouge, Louisiana

No formalized research or patent policy; as a general practice all research activities at the University are cleared through a University research committee whose recommendations are subject to approval by the President of the University. No patent management agency.

TULANE UNIVERSITY

New Orleans 18, Louisiana

No formalized research or patent policy, although the formulation of such a policy is under consideration; at present the general practice, with respect to research financed by grants awarded through the University Council on Research, is to return to the research fund any income up to the amount of the grant that may be received from patentable devices or processes or as royalties on books; in the School of Medicine it is the consensus of the executive faculty of the School that professional ethics would be violated if either the inventor or the School derived financial profits from patentable discoveries or inventions; applicable on a university-wide basis, including Newcomb College. No patent management agency, although consideration has been given to utilizing the facilities of Research Corporation.

UNIVERSITY OF SOUTHWESTERN LOUISIANA

Lafayette, Louisiana

No formalized research or patent policy, although the formulation of such a policy is currently under study. No patent management agency, but the University is planning to enter into a patent development agreement with Research Corporation.

XAVIER UNIVERSITY

New Orleans 25, Louisiana

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency; by mutual agreement proceeds from patents are divided on a fifty-fifty basis between the University and the inventor.

UNIVERSITY OF MAINE

Orono, Maine

Formalized research and patent policy, originally adopted 23 May 1942 and amended 16 September 1959 by the Board of Trustees of the University; applicable on a university-wide basis, including research conducted under the Department of Industrial Cooperation, an unincorporated nonprofit division of the University established in 1945 by the President of the University to coordinate an expanded program of industrial service and administer the research activities of the University:

> 1. Personal or private research. The University desires to encourage its faculty and staff members in the pursuit of their personal research interests with a minimum of restrictions.
>
> The results of research performed by a staff member on his own time and at his own expense are the exclusive property of the investigator. He shall retain full patent rights to such discoveries and inventions and have complete freedom to dispose of them as he deems proper. In order to be assured of his full rights, he shall clear his rights to the invention or discovery through the Head of his Department, his Dean or Director, and the Chairman of the Patent Committee.
>
> The employee, who is considering a patent, may wish to utilize the resources of Research Corporation which serves the University in its patent developments. More information concerning this non-profit organization is given under section 2.
>
> 2. Research supported by University funds. The results of research financed by public funds, and performed by University employees as part of their official duties and responsibilities, shall be considered as public information and in most cases will be provided to the public without charge. These research findings usually are made available to the public in the form of University publications, scientific journals or press releases.
>
> There are, however, infrequent occasions when discoveries or inventions financed by the University should be patented in order to provide patent control and to insure that the discovery will be used in the public interest.
>
> In cases where patent protection appears to be desirable, Research Corporation serves as the University's patent management agent. Research Corporation is a nonprofit organization, established in 1912, which handles patentable discoveries and inventions for many colleges and universities and also for faculty and staff members. Any net earnings of the Corporation are provided as grants-in-aid for the support of scientific research.
>
> Research Corporation will handle the patent management of such patentable discoveries and inventions as the University may offer to the Corporation and which the Corporation believes have patentable possibilities. Research Corporation assumes financial responsibility for all expenses of filing and prosecuting patent applications. The income derived from such a patent in any preceding calendar year shall be divided as follows: (1) 15% of gross income shall be paid to the inventor and (2), after payments to the inventor and retention by Research Corporation of amounts necessary to reimburse it for unusual expenses, such as the filing of foreign patents and court litigation, the sum remaining of all moneys shall be divided equally between the University and Research Corporation.
>
> Under this plan, the University and the inventor are relieved of all patent and

administrative problems involved in protecting the public interest, and in commercialization of inventions.

3. Research sponsored by outside agencies. Where research with University facilities is sponsored and financed by outside agencies, the contract or memorandum of agreement may specify that the sponsor retain the ownership and control of patent rights. In the absence of such specific designation, any patent rights resulting from such research shall remain with the University. In this latter case all inventions resulting from such sponsored research shall be referred to the chairman of the Patent Committee for evaluation and disposition by Research Corporation.

4. University Patent Committee. A University Patent Committee consisting of seven members shall be appointed by the President of the University, who shall also designate its chairman. This Committee shall consist of the Director of the Agricultural Experiment Station ex officio, the Director of the Technology Experiment Station ex officio, a representative of the University Administration and four members of the University Faculty, who shall serve for a five-year term.

The primary duties of the Committee shall be (1) to formulate patent policy, (2) to recommend allocations of patent income received by the University and (3) to resolve questions of patent equity which may arise between the inventor and the University.

The chairman of the Committee shall represent the University in all patent matters and shall act as liaison between the inventor and Research Corporation. All patentable inventions resulting from research conducted on University time or with University facilities shall be referred to the chairman of the Committee by the inventor's respective dean or director. If it seems desirable to the University and to Research Corporation to proceed in obtaining a patent, the inventor shall make assignment of all patent rights to Research Corporation.

5. Use of income received by the University from patents. The income received by the University from patents shall be placed in a special fund for furthering University research. Applications for research grants from this fund shall be submitted to the chairman of the Committee through the respective dean or director. Following review by the Patent Committee, its recommendations concerning applications shall be submitted to the President for approval. In approving applications, the Committee generally will give preference to continuing research projects in those fields from which patent income has been derived.

Copyrights by University Faculty. It is the privilege of members of the faculty and staff to write articles, pamphlets and books, to contract with publishers for publication, to copyright their product and to receive royalties resulting from sales, where the initiative came from the individual, where the product was the result of his independent labors and where the University was not responsible for opinions presented.

Patent management agency: Research Corporation on behalf of the University and of inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the University, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on the invention.

Maryland

THE JOHNS HOPKINS UNIVERSITY

Baltimore 18, Maryland

Formalized research and patent policy, adopted 31 May 1948 by the Board of Trustees of the University; applicable on a university-wide basis, including sponsored research conducted at the University under the administrative supervision of the Institute for Cooperative Research and government sponsored research conducted at the Applied Physics Laboratory, located in Silver Spring, Maryland, a nonprofit division of the University originally established in May 1942 as a special laboratory to handle a research project for the Government:

> A. Statement of patent policy. The statement of a University Patent Policy is designed to clarify the relations of (1) the University; (2) the inventor; (3) any public or private sponsor of the University research with respect to discoveries and inventions made by members of the University staff.
>
> B. General objectives of University. The general objectives of the University include (1) encouragement of research; (2) providing for the publication of scientific discoveries; (3) permitting the utilization of new discoveries in the public interest.
>
> C. Ownership of patents. The ownership and administration of patents by the University is believed undesirable. Except for discoveries made in the course of sponsored research and those affecting the public health, members of the University staff are free to determine whether or not to apply for patents on new discoveries made in the course of University research. However, the University will expect that before making any patent application, the inventor will consult the President of the University. The resolution of the Advisory Board of the Medical Faculty adopted in April 1933, that it is undesirable for a member of that faculty to take out a patent upon any invention or discovery affecting the public health, is approved with the understanding that there may be special cases where the public interest will best be served by patent control.
>
> D. Assistance to inventors. Advice to those desiring to obtain patents is available in the office of the President. For example, the facilities of the Research Corporation or some other similar nonprofit organization may be recommended to University inventors with the expectation that satisfactory arrangements will be made directly between the inventor and such organization.
>
> E. University revenue from patents. Consistent with its general policy, the University makes no claim to royalties derived from patents growing out of University research. Gifts made to the University from proceeds of patented inventions will be submitted to the Trustees for acceptance, as in the case of other gifts.
>
> F. Patents from Government-sponsored research. The University will make such arrangements with its staff as may be necessary to obtain and assign to the government patents on discoveries made in the course of government-sponsored research in the event that the sponsor so desires. Special cases may arise requiring different treatment where a member of the University staff or his assignee already holds patents in a particular field.
>
> G. Patents from privately-sponsored research. Where research is undertaken by the University for private sponsors under contract arrangement, University staff members will take all steps requested by the sponsor to obtain and assign to the sponsor patents on discoveries arising out of the sponsored research in accordance with the sponsoring agreement.

> H. Publication. The right of publication of the results of research will be protected to the fullest extent possible, consistent with the rights of Government and the agreements with private sponsors.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, or some other similar nonprofit organization; as indicated in the policy statement, the ownership and administration of patents by the University are considered undesirable; except for discoveries and inventions made in the course of sponsored research, which are subject to the terms of the research contract, and those affecting public health, inventors are left free to determine the disposition to be made of their inventions.

LOYOLA COLLEGE

Baltimore 10, Maryland

No formalized research or patent policy; as a general practice each situation is considered on an individual basis by the administration of the College with the assistance of a Committee on Research. No patent management agency.

UNIVERSITY OF MARYLAND

College Park, Maryland

Formalized research and patent policy, approved by the Faculty Senate and adopted 29 January 1960 by the Board of Regents of the University; applicable on a university-wide basis, including the School of Medicine and other units of the University located in Baltimore:

> Faculty, staff and graduate students who participate either alone or in association with others in inventions or discoveries are required to disclose promptly such inventions or discoveries to the President provided that University time, facilities or materials were used in connection therewith. Time, facilities or materials paid for from funds administered by the University shall be considered as University time, facilities and materials regardless of whether the funds arise from Federal or State appropriations, student fees, donations, grants, contracts or other sources.
>
> The University has an interest in all inventions and discoveries disclosed to it as required above, except where the invention or discovery results from personal research, in which case the invention or discovery shall be the sole property of the inventor. Personal research includes research not related to any special University research program and for which the University makes no special contribution of time, facilities or materials. The payment of a salary and the provision of a normal academic environment in which to work is not to be construed as giving the University any financial equity in personal research. The name of the University may not be used in connection with inventions in which the University has no interest without prior written permission.
>
> The University recognizes that the evaluation of inventions and discoveries and the administration, development and processing of patents involves substantial time and expense and requires talents and experience not ordinarily found in its staff; therefore, in most cases it expects to contract with outsiders for these services. It may, at its sole discretion, enter into a contract or contracts with an

> outside organization covering specific inventions or discoveries believed to be patentable and patents developed therefrom or covering all such inventions, discoveries and patents in which the University has an interest.
>
> In the event that income accrues from the administration of a patent or invention in which the University has an interest, the inventor or inventors will receive 15% of the gross income from the patent subject to the exceptions set forth below. To the extent consistent with State and University budget policies, any income which the University may receive from inventions will be dedicated to research with not less than 50% of such income designated for research in the department or college with which the inventor is affiliated.
>
> Under the terms of certain contracts and agreements between the University and various agencies of government, private and public corporations and private interests, the University is or may be required to assign all patent rights to the contracting party. The University retains the right to enter into such agreements whenever such action is considered to be in its best interest.
>
> The President shall appoint a University Patent Committee. Upon the request of the President, this Committee will assist him in patent matters including the determination of whether or not the University has an interest in a specific invention or discovery. The inventor or a representative designated by him shall be a non-voting member of the Patent Committee when it is considering a particular invention. The University Patent Committee may advise with faculty, staff and students on patent questions or on specific inventions or discoveries.
>
> An invention resulting from personal research may be offered to the University and, if accepted, the University will administer such invention in accordance with this patent policy, the inventor receiving such income as may be specifically agreed upon in writing.
>
> Faculty, staff and graduate students are required to execute promptly all contracts, assignments, waivers or other legal documents necessary to invest in the University or its assignees any or all rights to inventions or patents whenever such action is required in order to carry out the provisions of this patent policy.
>
> Disputes on patent matters, including the interpretation of this patent policy, shall be referred to the President and the Board of Regents for resolution.

Patent management agencies: the Board of Regents of the University and also Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

AMHERST COLLEGE

Amherst, Massachusetts

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized in accordance with the agreement with Research Corporation.

BOSTON COLLEGE

Chestnut Hill 67, Massachusetts

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

BOSTON UNIVERSITY

Boston 15, Massachusetts

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; at present the general practice with respect to sponsored research is covered by the following provisions of the patent waiver agreement, adopted 15 August 1949 by the Board of Trustees of the University, which is signed by those assigned to work on sponsored research projects:

> In my employment on a sponsored research program in Boston University, I recognize that research projects are assigned to me and guidance given by such individuals as the President of the University may from time to time designate.
>
> I recognize also that in the course of my employment on sponsored research in Boston University I may receive confidential information regarding the work to which I am assigned and regarding research projects in which other employees are engaged.
>
> I recognize further that the making of inventions and discoveries may be an important part of the work for which I am employed.
>
> I recognize that facilities, equipment and materials are furnished by and belong to the University or the sponsors of the research programs.
>
> I understand, moreover, that Boston University may be, and in the case of the United States Government contracts is, bound by agreement with the sponsor to transfer certain patent rights to the sponsor.
>
> In consideration of my continued employment in Boston University and for other good and valuable consideration, I agree as follows:
>
>> 1. To disclose to such individuals as the President of the University may designate, any and all inventions which, during my employment on sponsored research in the University, I have made or I may make in the future, relating to subject of such sponsored research.
>>
>> 2. To give all reasonable assistance in preparing descriptions, illustrations and patent applications for all such inventions, it being understood that the necessary cost and expense in connection therewith will be paid by others than myself.

> 3. To execute the patent applications referred to above, the expense of such patent applications to be borne by others.
>
> 4. To assign to Boston University the entire right, title and interest in and to any and all inventions which, during my employment on sponsored research programs in Boston University, I have made or I may make relating to subjects of sponsored work being carried on in said University, the expense of such assignments to be borne by others.
>
> 5. To execute any documents which may be necessary adequately to protect such inventions and to perfect title therein in Boston University, the expense of such documents to be borne by others.
>
> 6. To guard carefully and keep secret from unauthorized persons all confidential information concerning work on sponsored research programs at Boston University.

No patent management agency other than the Board of Trustees of the University.

CLARK UNIVERSITY

Worcester 10, Massachusetts

No formalized research or patent policy, but such a policy is currently being formulated; only those sponsored research projects are accepted which are related to problems in which faculty members are concerned and the University reserves the right to publish the results. No patent management agency.

COLLEGE OF THE HOLY CROSS

Worcester, Massachusetts

No formalized research or patent policy, although the formulation of such a policy by the Committee on Research is currently in process; at present each situation is handled on an individual basis. No patent management agency.

HARVARD UNIVERSITY

Cambridge 38, Massachusetts

No formalized research or patent policy, except with respect to patents on discoveries or inventions concerned with therapeutics and public health; such a policy was adopted 28 May 1934 by the President and Fellows of Harvard College, on recommendation of the Faculties of Arts and Sciences, Medicine, Public Health and Engineering, as a university-wide policy, dealing with the subject matter of the research rather than the site of its performance:

> No patents primarily concerned with therapeutics or public health may be taken out by any member of the University, except with the consent of the President and Fellows; nor will such patents be taken out by the University itself except for dedication to the public. The President and Fellows will provide legal advice to any member of the University who desires steps to be taken to prevent the patenting by others of such discoveries or inventions.
>
> In cases as to which it may be deemed necessary to take out a patent and dedicate it to the public in order to prevent others from obtaining a patent for their own benefit, members of the University are asked to report to the dean of the

> appropriate faculty any such discovery or invention made by them, with a recommendation as to whether an application for patent should be filed, in order that, if necessary, steps may be taken to obtain and dedicate the patent.

Sponsored research is coordinated and administered through the Office for Research Contracts and each employee engaged in such research is required to execute a patent waiver agreement so that the University may fulfill the terms of the research contract.

No patent management agency, as the University is not interested in patents except on discoveries and inventions concerned with therapeutics or public health; would be disposed to utilize facilities of Research Corporation if necessary.

LOWELL TECHNOLOGICAL INSTITUTE

Lowell, Massachusetts

Formalized research and patent policy, adopted 18 August 1950 and embodied in the invention agreement signed by all faculty members of the Institute who devote time to the research activities of the Lowell Technological Institute Research Foundation, a separately incorporated nonprofit organization established 16 August 1950 to administer sponsored research at the Institute:

> I realize that it is or may be my duty or privilege to devote some of my time to research, and that the facilities, funds and equipment of the Lowell Technological Institute or the Lowell Technological Institute Research Foundation, which I may be permitted to use and enjoy, may aid me substantially in prosecuting research and in conceiving or devising discoveries and patentable inventions.
>
> In consideration of my employment by the Foundation and/or of the salary, or financial aid paid to me by said Foundation, and for the purpose of definitely settling any question or possible controversy which may arise as to the ownership of any patent which may be granted to me hereafter, I hereby agree that, in the event that I shall conceive, devise or work out any discovery or invention in the course of my employment or financially aided research by or through the use of facilities and equipment of the Institute or Foundation, the same shall, at the option of the Foundation, be and become the property of the said Foundation under the following terms and conditions:
>
> 1. I will disclose any such discovery or invention freely and fully to the President of the Institute or the Executive Director of the Foundation.
>
> 2. I recognize that if I have previously conceived an invention, but have not yet actually made it work (whether or not a patent application has been obtained), this agreement may obligate me, if the invention is utilized or made to work in the course of my work for the Foundation, to assign the invention to the Foundation or its designate. I therefore have communicated all the facts relevant to these matters to the President of the Institute and the Executive Director of the Research Foundation before signing this agreement.
>
> 3. Upon any such disclosure the Foundation shall have the right and option to take over such discovery or invention or to decline to take over the same. This right and option shall terminate, however, if the Foundation shall fail or neglect to give me notice in writing of its intention to take over such discovery or invention within a period of ninety days after I have notified the Foundation in writing of my desire that a decision be made in the matter.
>
> 4. If the Foundation shall exercise its option to take over such discovery or invention, I will, at its request but at the expense of the Foundation, make proper

application for patent of the same and will assist in every way in preparing such application and in the proceedings toward obtaining such patent.

5. Upon request of the Foundation, I will assign such application or any patent issued on the same, to the Foundation, with full and complete rights, powers and privileges of ownership, in trust, nevertheless for the following purposes:

(a) The Foundation shall have full power and authority to issue licenses under the same and to fix and collect royalties for the use of the same; to use the same for its own purposes; to sell or assign the same in whole or in part, and, in general, to deal with the same at its own absolute discretion.

(b) The Foundation shall pay to me, at least quarterly, a share of the net proceeds (if any) of the earnings or yield of such patent arising from any source, whether from license fees, royalties, or from sale, said share to be commensurated with my contribution as determined by the Board of Directors of said Foundation. If such invention should have been developed by me in collaboration with or with the assistance of any other person or persons, who have entered into agreements with the Institute or the Foundation similar to this, the proportionate share of the returns to each of said inventors shall be determined by the Board of Directors of the Foundation.

(c) The Foundation shall use the balance of such net proceeds or all of said net proceeds, in its discretion, for the furtherance of research at the Institute and for the payment of overhead and expenses connected with such research, including the cost of securing, protecting, disposing of or dealing with any patent developed by such research or by any person who has entered into an agreement similar to this or for such other purposes as are permitted by law or the Rules and Regulations of the Institute.

6. All notice to be given by me hereunder may be given to the President of the Institute or the Executive Director of the Foundation.

Patent management agency: the Lowell Technological Institute Research Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor will receive a share of the net proceeds from the sale or exploitation of any patents obtained on the invention, his share commensurate with his contribution as determined by the Board of Directors of the Foundation.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Cambridge 39, Massachusetts

Formalized research and patent policy, originally adopted 5 April 1932 by the Executive Committee of the Corporation, with the approval of the Faculty Council, and revised 28 April 1952; applicable on an institute-wide basis to both staff members and students, including research conducted under contracts negotiated by the Division of Sponsored Research, an unincorporated nonprofit unit of the Institute established in 1920 and operating under the Vice President for Research Administration:

Relations with Staff and Students

1. The Institute shall have the sole right to determine the disposition of inventions and other developments by staff and students resulting from a program of research supported wholly or in part by funds administered by the Institute,

and such disposition shall be in a manner which, in its opinion, will be in the best interests of the Institute, the public and the inventors. In cases not specifically controlled by contract or agreement, the Institute will seek the advice of the faculty, through the Committee on Inventions and Copyrights.

2. Inventions or other developments produced by a staff member or student along lines not related to any Institute program of research with which the individual may be connected and to the production and development of which the Institute contributes no special funds, space or facilities shall be the exclusive property of the individual producing the invention or development. The Institute will not construe the payment of salary or the provision of normal academic environment as constituting grounds for equity by the Institute in such invention.

3. Students who receive no financial aid from funds administered by the Institute and who are not connected with any Institute program of sponsored research shall have full rights in any invention which they may make. The acceptance of scholarship or fellowship awards in no way alters these rights since such awards are gifts to the recipients with no restrictions except that theses may have to be in specified fields. If, in addition, a student receives financial aid for thesis expenses or utilizes laboratories and equipment which are partly or wholly financed by special funds, he must relinquish his rights in inventions to the extent that the Institute is obligated to those who give financial aid for its educational and research program.

Staff members who are also part-time students shall be considered staff members insofar as disposition of patentable inventions is concerned.

4. Although the policy set forth in (1) is believed to constitute a sufficient understanding of relations between the Institute and the staff in respect to Institute research programs, the Government and some industrial sponsors may require formal agreements between the Institute and those connected with sponsored projects. The Institute may therefore require anyone who wishes to participate in such projects to enter into a formal agreement to assign inventions to the Institute.

5. Any staff member who is connected with a sponsored research program and who also is engaged in consulting work or in business should use care in determining that patent clauses in his agreements are not in conflict with the patent policy of the Institute or with Institute commitments in sponsored projects. The Institute shall have the ultimate right to resolve any conflict or potential conflict of interests arising from outside activities of staff members.

6. It is recognized that many special cases will arise which are not specifically covered by the foregoing. Such special cases may be submitted to the Chairman of the Patent Management Committee, who will endeavor to resolve them in accordance with the Institute's basic policy, and will, when necessary, refer them to the appropriate committee for action.

7. The Institute recognizes the traditional academic freedom of its staff and students in matters of publication and copyright. However, where commitments of a contractual nature to a sponsor require, the Institute shall have the right to determine the disposition of copyrights under a policy similar to that set forth for inventions in section 1 above.

Relations with Government and Industry

8. The Institute's patent and copyright commitments on sponsored projects are determined by the particular contracts under which the work is performed. The Institute will endeavor to negotiate contracts on such terms as will further the Institute's basic aims in patent and copyright matters.

9. When under a Government contract the Institute has the option of acquiring

139

patent rights on an invention made in the course of work on the project, the Institute will in general take such rights only when it appears that its basic aims would be furthered by such action. In other cases the rights will be waived to the Government for such actions as the Government considers proper. The Institute, because of obligations under its contracts, will ordinarily be unable to entertain any request that the inventors be entitled to acquire personal ownership of inventions made on Government-sponsored projects.

10. In cases where a contract is made through the Division of Sponsored Research with an industrial sponsor and with definite provisions for payment by the sponsor of all expenses connected therewith, including overhead, the sponsor may be granted exclusive rights for a limited term in an invention, but such exclusive rights shall be limited to his own field of activity.

11. Donors of funds for grants-in-aid, or under the Industrial Liaison Program, shall be entitled to a nonexclusive license under any patents that the Institute may acquire as a result of work to which the funds are eligible to be applied, such licenses to be on terms to be negotiated. This provision does not apply to fellowship or scholarship funds which may be awarded from grants-in-aid or Industrial Liaison funds, since students accepting such awards retain all of the normal student patent rights.

12. The Institute reserves the right to exercise its equity in an invention only when it considers that to do so will further the basic aims of its patent policy.

Patent management agency: Research Corporation, both for the Institute and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, the determination in each case being made by a faculty Committee on Inventions and Copyrights appointed by the President of the Institute; when an invention is assigned to Research Corporation, the inventor receives a proportion, usually 12%, of the gross income received from the sale or exploitation of any patents obtained on the invention.

NEW BEDFORD INSTITUTE OF TECHNOLOGY

New Bedford, Massachusetts

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research is handled through the Research Foundation of the New Bedford Institute of Technology, an unincorporated unit of the Institute established in 1958 under an act of the state legislature, which also acts as patent management agency for the Institute.

NORTHEASTERN UNIVERSITY

Boston 15, Massachusetts

Formalized research and patent policy, adopted in January 1952 by the Faculty and Executive Council of the University; employees of the University engaged in any combination of study, research and teaching are subject to the provisions of the patent policy stated below; it is the policy of the University that no employee of the University shall profit from any invention or discovery made at the University or in connection with its activities which may affect the health or welfare of individuals or of the public; applicable on a university-wide basis to both faculty and students:

1. If the work in connection with the invention is done on the inventor's time and with a relatively small amount of the University's space, equipment, supplies or time of its employees, such an invention shall be the sole property of the inventor. The inventor, however, may refer the invention to the Committee on Patents to be handled under the policy set forth in 2 below.

2. If the inventor is working under a University grant, the patent resulting from such work shall be the property of the University and the Committee on Patents shall recommend to the Executive Council of the University the amount of income to be shared by the inventor and by the University from the Research Corporation.

3. If the inventor is working under a grant-in-aid with no patent restrictions, the Committee on Patents shall be governed by the policy set forth in 2 above with the additional provision that the foundation responsible for the grant-in-aid shall be entitled to a royalty-free nonexclusive license of the patent, if it so desires.

4. If the invention results from a research project sponsored by a profit-making corporation with no patent stipulation, the Committee on Patents shall be governed by the policy set forth in 2 above.

5. If the inventor is engaged under a government-sponsored research contract and the provisions of the contract permit, the Committee on Patents shall be governed by the policy set forth in 2 above.

6. If the invention results from a consulting agreement made between the inventor and a profit-making corporation and in connection with which no patent agreement exists, the Committee on Patents shall be governed by the policies set forth in 1 and 2 above, depending upon the contribution by the University of the amount of space, equipment, supplies or time of employees to the invention.

7. If the invention results from research by a student who is paying tuition and who utilizes in connection with the research only a reasonable amount of University space, equipment, supplies or time of employees, it shall be considered that the University is not contributing to the research inasmuch as it is considered that the University facilities are provided by the tuition payment.

8. If the invention results from research by a student receiving scholarship aid, the acceptance of such scholarship aid shall not be considered as changing the status of the student in regard to title to inventions since such scholarship funds have been provided primarily for the assistance of outstanding students and are, in general, administered by rather than contributed by the University. The rights of the student under this section include the right to assign or otherwise dispose of these rights.

9. The Committee on Patents also has the responsibility to review and to make recommendations to the Executive Council of the University regarding any inventions, discoveries, and patents regarding same, not covered in the statement of policies set forth above, but growing out of research activities at Northeastern University.

Patent management agency: Research Corporation; the equities of inventors in their inventions are recognized, as indicated in the policy statement above, and as provided in the patent development agreement with Research Corporation, the inventor receives a specified share of the income derived from the sale or exploitation of his invention.

RADCLIFFE COLLEGE

Cambridge 38, Massachusetts

Because of the affiliation of the two institutions, the Harvard Faculty of Arts and Sciences is the faculty of the College; scientific research services at the College are cared for through the University and the research and patent policies of Harvard University apply.

SPRINGFIELD COLLEGE

Springfield 9, Massachusetts

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research is administered by a Coordinator of Research under procedures approved by the Council of Academic Affairs of the College. No patent management agency.

TUFTS UNIVERSITY

Medford 55, Massachusetts

Formalized research and patent policy, adopted 1 December 1948 by the Board of Trustees of the University; all research at the University, including sponsored research, is administratively centralized under a Research Coordinator; applicable on a university-wide basis to members of the faculty, staff, students and other employees of the University, including the Schools of Medicine and Dental Medicine located in Boston:

> 1. Inventions or other developments, whether or not subject to patent, which result from research financed wholly by Tufts University shall be the exclusive property of the University and the University shall be entitled to all benefits and rights accruing from such inventions or developments and may acquire the title to any patents based thereon. It shall hold and administer these rights for the ultimate benefit of the public. If, after a reasonable period, the University does not choose to acquire rights to inventions or developments arising in this manner, these rights or a part of them shall revert to the individuals who made the inventions or developments.
>
> 2. The results of research performed by staff members on their own time and at their own expense are the exclusive property of the investigator.
>
> 3. In the case of sponsored research which finances all expenses connected with the investigations, including overhead, the sponsor may be entitled to exclusive rights or to a limited term license in patentable invention in his own field of activity only.
>
> 4. In cases where the costs of development are borne both by Tufts University and some other person or agency, or by foundation or grants to the University, it shall be considered that the equities are divided in proportion to the contributions. Each case shall be subject to special agreement in the absence of which the University shall retain the title if the University has made any substantial contribution by the provision of facilities or in any other way.
>
> 5. In the case of research sponsored by the United States Government, Tufts University will give the Government a nonexclusive, irrevocable, royalty-free license for government use of any patent to which the University acquires title or otherwise as required by any contract with the Government.

6. Any invention or development financed by Tufts University or by funds over which the University has control shall be made known to the President and the Research Coordinator who will keep the Trustees of the University informed. Special arrangements concerning patent rights can be entered into by agreement between the Trustees of Tufts University and an individual investigator or group of investigators.

7. An advisory committee of seven individuals representing Trustees, faculty and administration, and appointed by the President of the University, shall be subject to call for consultation on any question arising in relation to patents or patent policy.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not more than 15% of the gross income derived from the sale or exploitation of patents obtained on the invention, the exact amount to be determined on the recommendation of the Advisory Committee.

UNIVERSITY OF MASSACHUSETTS

Amherst, Massachusetts

No formalized research or patent policy, although the formulation of such a policy currently is in process by a committee of the Board of Trustees of the University, as well as the development of a research foundation; as a general practice each situation is at present considered on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WILLIAMS COLLEGE

Williamstown, Massachusetts

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency but disposed to utilize the facilities of Research Corporation; the equities of inventors in their inventions would be recognized in accordance with arrangements made with Research Corporation.

WOODS HOLE OCEANOGRAPHIC INSTITUTION

Woods Hole, Massachusetts

No formalized research or patent policy, but the formulation of such a policy is currently under review by a Patent Committee. No patent management agency; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institution, the inventor shares with the Institution in the net income derived from the sale or exploitation of any patents obtained on the invention.

WORCESTER POLYTECHNIC INSTITUTE

Worcester 9, Massachusetts

Formalized research and patent policy, adopted 17 March 1960 by the Faculty of the Institute; applicable on an institute-wide basis:

> A faculty member who develops an invention primarily on his own time without use of Institute facilities or with only nominal use of them is entitled to patent the invention and receive the benefits from it. A member of the faculty who develops an invention while undertaking research work financed by the Institute should discuss with the Dean of the Faculty and the President the matter of equities and rights on such invention. Generally speaking, the policy of the Institute is liberal with respect to granting full or partial rights to the individual in such circumstances, but each case must be considered on its individual merits. In sponsored research programs, where the research work is financed by a company, the government or a foundation, the terms of contractual agreement with the sponsoring organization will prevail in matters of patent rights. In the absence of any agreement, it is generally understood that such rights will accrue to the sponsoring organization unless the organization consents to waive such rights.
>
> Since it is in the interest of a faculty member who devotes a substantial amount of time to a research project to publish the results thereof, sponsored research projects which deny the faculty member publication rights are, generally speaking, discouraged. Exceptions are made in the case of research projects of a restricted nature where military secrecy is involved.

No patent management agency other than the Board of Trustees of the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized.

ALBION COLLEGE

Albion, Michigan

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, except that research for pecuniary return shall be based upon an understanding with the authorities of the College and that recipients of fellowship awards sponsored by the College will share with the College any income resulting therefrom, not to exceed the amount of the award. No patent management agency.

CALVIN COLLEGE

Grand Rapids 6, Michigan

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

CENTRAL MICHIGAN UNIVERSITY

Mount Pleasant, Michigan

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research is handled under procedures developed by the University Research Committee. No patent management agency.

DETROIT INSTITUTE OF TECHNOLOGY

Detroit 26, Michigan

No formalized research or patent policy, but the formulation of such a policy by a faculty Committee on Research Policy is currently in process; at present the Institute observes a laissez-faire or hands-off attitude. No patent management agency.

GENERAL MOTORS INSTITUTE

Flint 2, Michigan

As all the faculty, staff and students of the Institute are employees of General Motors Corporation, of which the Institute is a wholly owned subsidiary, they are subject to the Corporation's research and patent policy, which in all appropriate cases requires assignment to the Corporation of all patent rights in their inventions in the field of the Corporation's interest.

MARYGROVE COLLEGE

Detroit 21, Michigan

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

MICHIGAN COLLEGE OF MINING AND TECHNOLOGY

Houghton, Michigan

Formalized research and patent policy, adopted 20 August 1940 by the Board of Control of the College and embodied in the following patent agreement signed by every research and teaching employee when accepting a position at the College; currently in process of revision; inventions growing out of sponsored research are subject to the terms of the research contract under which they are usually assigned to the sponsor; applicable on a college-wide basis:

> I realize that it is or may be my duty or privilege to devote some of my time to research, and that the facilities and equipment of the College which I will be permitted to use and enjoy may greatly aid me in prosecuting research and in conceiving or devising discoveries and patentable inventions.
>
> In consideration of my employment by the College and of the salary to be paid me by said College and for the purpose of definitely settling any question or possible controversy which may arise as to the ownership of any patent which may be granted to me hereafter, I hereby agree that, in the event that I shall conceive, devise or work out any discovery or invention in the course of my employment, by or through the use of the facilities and equipment of the College, the same shall at the option of the College be and become the property of the College under the following terms and conditions:
>
> 1. I will disclose any such discovery or invention freely and fully to the President or other proper officer of the College.
>
> 2. Upon any such disclosure the College shall have the right and option to take over such discovery or invention or to decline to take over the same. This right and option shall terminate, however, if the College shall fail or neglect to give me notice in writing of its intention to take over such discovery or invention within a period of ninety days after I have notified the College in writing of my desire that the College make its decision in the matter.
>
> 3. If the College shall exercise its option to take over such discovery or invention, I will at its request but at the expense of the College make proper application for patent of the same and will assist in every way in preparing such application and in the proceedings toward obtaining such patent.
>
> 4. Upon request of the College I will assign such application or any patent issued on the same to the Board of Control of the College, with full and complete rights, powers and privileges of ownership, in trust nevertheless, for the following purposes:
>
>> (a) The College shall have full power and authority to issue licenses under the same and to fix and collect royalties for the use of the same, to use the same for its own purposes, to sell or assign the same in whole or in part and in general to deal with the same at its own absolute discretion.
>>
>> (b) The College shall pay to me, at least quarterly, 15% of the net proceeds of the earnings or yield of such patent arising from any source, whether from license fees, royalties or from sale. If such invention shall have been developed by me in collaboration with, or with the assistance of any other person or persons who have entered into agreements with the College similar to this and are entitled to participate in the proceeds of such invention, the payments hereunder shall be made to me and such other persons in such proportionate shares as we may agree upon, it being understood and agreed that the aggregate of the payments to all persons shall not exceed 15% of the net proceeds of any one invention.

> (c) The College shall use the balance of such net proceeds, after paying the 15% hereinbefore mentioned, for the furtherance of research at said College and for the payment of overhead and expenses connected with such research, including the cost of securing, protecting, disposing of or dealing with any patent developed by such research or by any person who has entered into an agreement similar to this.
>
> 5. All notice to be given by me hereunder may be given to the President or the Chairman of its Board of Control.

No patent management agency other than the Board of Control of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives 15% of the net proceeds from the sale or exploitation of patents obtained on the invention.

MICHIGAN STATE UNIVERSITY

East Lansing, Michigan

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research and patent matters are handled through the Office of Research Development in accordance with prescribed procedures approved 2 May 1962 by the Graduate Council of the University and subject to the terms of the research grants and contracts.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or patents are otherwise processed without expense to the University, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention plus the first $1,000 received by the University, in accordance with the policy adopted 28 October 1960 by the Board of Trustees of the University.

UNIVERSITY OF DETROIT

Detroit 21, Michigan

Formalized research and patent policy, approved 1 April 1949 by the President of the University and revised 7 January 1951 on recommendation of the University Research Council and approval of the University Committee on Research; sponsored research is administered through the Research Institute of Science and Engineering, an unincorporated division of the University established in July 1955; applicable on a university-wide basis:

> In case of research sponsored by the University, any discovery should be reported to the University officials concerned. If the University does not notify the discoverer within thirty days of its intent to secure its legal rights to profit, the discoverer may then proceed in accordance with his own desires and will enjoy complete possession of any of the fruits of discovery.
>
> Where the University sponsors a research project by bearing all of the cost the inventor will receive 15% of the gross returns from any invention which results and the University and any agents which it may employ for purposes of patent

> management will retain 85% of the gross returns and will pay all costs of patenting and management. At the discretion of the University the inventor may, in special cases, receive more or less than 15% of the gross return from an invention.
>
> In case part of the cost is borne by the University and part of the cost is borne by some external agency, agreement should be made in advance as to the disposal of all fruits of the investigation and the manner of disposal. Discoveries of possible financial gains, other than patents, should be given disposal in a manner to conform to the policies recommended for the handling of patentable material.
>
> The discovery of commercially valuable information in a research investigation, the cost of which is borne by an outside agency, will be promptly and fully reported to the sponsor by the research director of that project. The University authorities should have no responsibility in this connection except in a case of dereliction of duty. It thereafter becomes the responsibility of the sponsor to proceed to secure any rights.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned by the University to Research Corporation, the inventor receives 15%, or in special case more or less than 15%, of the gross income derived from the sale or exploitation of the invention.

UNIVERSITY OF MICHIGAN

Ann Arbor 3, Michigan

Formalized research and patent policy, adopted in 1944 by the Board of Regents of the University; applicable on a university-wide basis, including sponsored research conducted under the administrative direction of an Office of Research Administration:

> Unless otherwise specifically provided by the Board of Regents, properties acquired by the University in connection with and for the prosecution of research projects carried on by members of the University staff shall belong to the University.
>
> Unless otherwise specifically provided by action of the Board of Regents or by contract entered into under the authority of the Board, patents issued in connection with research projects and all royalties or profits derived therefrom shall belong to the University.

As a general practice, each situation is considered on an individual basis and sponsored research is conducted in accordance with the terms of the research contract; in industrially sponsored research the sponsor may acquire full ownership of any inventions resulting from the research upon payment to the University of 15% of the total cost of the project as a patents fee and payment to the inventor of $100 as an inventor's fee.

Patent management agencies: Michigan Research Foundation, a separately incorporated nonprofit organization established 12 April 1956, and also Research Corporation, under patent development agreements with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation or to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WAYNE STATE UNIVERSITY

Detroit 2, Michigan

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice, each situation is at present handled on an individual basis in accordance with prescribed procedures under the general administrative direction of the Vice President for Graduate Studies and Research, with specific responsibility for contractual obligations in sponsored research which is coordinated through the Office of Research Administration and is conducted in accordance with the terms of research contracts mutually satisfactory to all parties concerned.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention, as mutually arranged in each case.

WESTERN MICHIGAN UNIVERSITY

Kalamazoo, Michigan

No formalized research or patent policy; on contractual research patentable results are assigned to the sponsor. No patent management agency.

Minnesota

CARLETON COLLEGE

Northfield, Minnesota

No formalized research or patent policy; as a general practice each situation is considered on an individual basis. No patent management agency.

GUSTAVUS ADOLPHUS COLLEGE

St. Peter, Minnesota

No formalized research or patent policy; as a general practice research, both by faculty and by students, is subject to review by the academic administration. No patent management agency.

ST. OLAF COLLEGE

Northfield, Minnesota

Formalized research and patent policy, adopted in August 1954 by the Board of Regents of the College and embodied in the following agreement signed by members of the departments of chemistry and physics; applicable on a college-wide basis:

1. Any potentially patentable ideas previously conceived by the undersigned, to be excluded from this agreement, will be tabulated and notarized on separate appended sheet.

2. The inventions concerned are all those in the field of research not considered in 1 above or 4 below.

3. Inventions in fields unrelated to the field of research are excluded from the agreement provided their development is the activity of the inventor aside from his employment at the College.

4. Research conducted by the undersigned or contracted research (such as that sponsored and owned by an industrial firm) is excluded. The head of the department, in conjunction with the administration of the College, will determine the propriety of the undersigned individual accepting and contracting for such sponsored research projects. The work shall be performed under such agreement, as may be hereinafter agreed upon between the parties.

> (a) Any contract with the Army or Navy of the United States or any departmental or governmental subdivision of the United States shall include the provisions of this contract insofar as they are lawful and any patentable inventions coming out of any research done under such contract shall be assigned to the College, with the further provision that the individual research inventor may participate in the earnings of such invention to the maximum allowance under this contract, provided that the same is lawful, and if not, then to the maximum amount permitted by law.

5. Periodically (at least twice a year) the staff of the department of the undersigned will review research to determine if patentable inventions have occurred. It is the responsibility of the undersigned that such reviews be considered. Neglect to present the items will negate the time factor under 6 (b) and the College will retain its full portion of the income in the event of litigation as provided under 8.

6. Developments of interest (selected in 5) will be written in the form of a brief patent memorandum describing the nature, scope and possibilities of the invention. This memorandum will be submitted promptly through the departmental head to the business manager of St. Olaf for evaluation by designated members of the Board of Regents or persons appointed by them to evaluate the ideas.

> (a) If an invention is to be patented, the College will arrange for filing the patent application and will provide the funds for preparation and prosecution of the application. The College, if it elects to do so, may arrange with outside agencies for this purpose. The patent will be assigned to the College or in turn assigned by the College to another agency.
>
> (b) If the College does not desire to patent the development, it must within six months (or longer, if mutually agreeable) reject the development and release it to the undersigned individual. In this event the undersigned is free to arrange for patenting the development at his own expense.
>
> (c) The undersigned will aid the College in the prosecution of the patent application.

7. The undersigned agrees to keep permanent and useful records of his research and conceptions. These records are available for the use of the College at all times.

8. If the undersigned leaves the employ of the College:

> (a) It is agreed that all ideas and developments conceived or reduced to practice according to this contract remain the property of the College un-

less released according to 6 above. Neglect to call the invention to the attention of the College is considered under 5 above.

(b) He will obtain his portion of the income as described under 9(a) below, for the duration of the patent and any continuations thereof.

9. Royalties and income from the invention: It is expected that the College will attempt an arrangement directly or through another agency to use the invention to earn income from royalties, licenses, etc. This net income will be divided as follows:

(a) 25% of net income after payment of all expenses will be paid to the inventor. In case of multiple inventorship, this 25% will be divided amongst the inventors as they decide.

(b) 20% of such net income after payment of all expenses will be paid the department of the undersigned for such purposes as its staff determines for the benefit of the department. Such utilization, in case of question, is subject to approval by the administration of the College.

(c) The balance of the income is for the use of the College as a whole as determined by the Board of Regents.

10. Any factor not considered above will be decided on ethical grounds between the College, the concerned departments and the inventor(s). Due respect will be given to the rights of all parties and, in case no decision can be reached, questions will be resolved in the interest of the College.

11. If any provision proves unworkable, changes can be made if mutually satisfactory to the College and the inventor.

12. The party of the second part agrees that all of his obligations under this contract shall inure to the benefit of the————————department and of St. Olaf College or its assigns.

13. The undersigned agrees that while he is a teacher at St. Olaf College he will engage in industrial consultation work only under the following regulations:

(a) That such consultation work shall be approved in writing by the department or divisional head of the College administration.

(b) That developments made as a result of the consulting contract shall be excluded from coverage under this agreement unless the development is the property of the undersigned instead of being the property of the industrial concern employing the consultant.

14. Any disputes arising under this agreement which cannot be settled and compromised by the parties themselves shall be submitted to arbitration. Each party shall appoint one arbitrator within ten days after one party shall have served upon the other written notice of his intention to have the dispute arbitrated, and if the arbitrators so selected cannot agree upon a third arbitrator within thirty days after notice of intention of either party to arbitrate shall be given, then he shall be appointed by the senior judge of the District Court for Rice County, Minnesota. The decision of the arbitrators shall be final and binding upon all the parties hereto and their successors, heirs and assigns.

No patent management agency except the Board of Regents of the College, who may designate an outside agency to act in its behalf; as indicated in the policy statement above, the equities of the inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives 25% of the net income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF MINNESOTA

Minneapolis 14, Minnesota

Formalized research and patent policy, adopted 13 April 1962 by the Board of Regents of the University, supplementing earlier policies with respect to sponsored research adopted 5 November 1938 and 19 January 1943, and encompassing both sponsored and non-sponsored research; sponsored research is conducted in accordance with prescribed procedures under the terms of the research contract and faculty members, students and other employees of the University engaged in such research are required to execute patent waiver agreements; applicable on a university-wide basis to all members of the University staff:

> Patents are administered by a Patent Committee of five members appointed by the President of the University and consisting of the Vice President for Business Administration and four faculty members whose scientific backgrounds broadly cover the various technical disciplines of the University. It is the responsibility of the Patent Committee to carry out the following functions:
>
> (1) Formulation or modification of patent policy for recommendation to the Board of Regents.
>
> (2) Reviewal of inventions that arise at the University to determine feasibility of patenting and to file applications thereon.
>
> (3) Reviewal and recommendation to the Regents of licenses and other agreements relating to patents to be entered into by the University.
>
> (4) Hearing of disputes involving patents.
>
> (5) Pass upon requests for research funds to be allotted from royalty income.
>
> The Board of Regents avow that an obligation exists to make available to the University for patenting all inventions that arise under University time, with University facilities or under sponsored research administered by the University. The University recognizes an inventor's equity in the invention and shares royalties in the following manner:
>
> (1) Where University time, funds or facilities have been used in the conduct of research and an invention has resulted, the division of royalties shall be 25% to the staff inventor and 75% to the University, patenting and licensing costs first being recaptured.
>
> (2) Where no University funds, time or facilities have been used to bring a completed invention into being, but the inventor, whether or not a member of the University staff, desires that the University take title to the invention and manage the patent, the division of royalties shall be 50% to the inventor and 50% to the University, patenting and licensing costs first being recaptured.
>
> (3) In special situations other than those described above, the division of royalties will be negotiated to fall within the limits set forth in paragraphs (1) and (2). (A possible situation, as an example, would be one in which a completed invention as described in (2) is offered to the University, which invention requires use of University facilities for testing or experimental purposes.)

No patent management agency other than the Patent Committee on behalf of the Board of Regents of the University of Minnesota; as indicated above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives either 25% or 50% of the net income derived from the sale or exploitation of any patents obtained on the invention, according to the circumstances under which the invention was made, as determined by the Patent Committee.

WINONA STATE COLLEGE

Winona, Minnesota

No formalized research or patent policy; however, under a patent development agreement with Research Corporation the equities of inventors in their inventions are recognized and, as specified in the agreement, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on his invention.

Mississippi

MILLSAPS COLLEGE

Jackson 10, Mississippi

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, leaving all patent rights to the inventor. No patent management agency.

MISSISSIPPI STATE COLLEGE FOR WOMEN

Columbus, Mississippi

Formalized research and patent policy, adopted 16 January 1958 and amended 28 July 1960 by the Board of Trustees of State Institutions of Higher Learning for the institutions under its control (see Mississippi State University below for policy statement except for omission of section 3a) ; applicable on a college-wide basis.

No patent management agency, other than the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on behalf of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, where a patent or an invention resulting from sponsored research is obtained and controlled by the College, the inventor may receive a share, not exceeding 50%, of the income derived from the sale or exploitation of the patent.

MISSISSIPPI STATE UNIVERSITY

State College, Mississippi

Formalized research and patent policy, originally adopted 16 December 1954, revised on 16 January 1958 and amended 28 July 1960 by the Board of Trustees of State Institutions of Higher Learning; applicable on a university-wide basis:

> The Board of Trustees of State Institutions of Higher Learning considers that, since the institutions under its control are publicly supported, the obligation of

the Board and of the institutions is to the public. The Board affirms the principle that research carried on by the institutions and laboratories under its supervision is dedicated to the furtherance of learning and knowledge and to the public welfare. It is not, therefore, the primary concern of the Board or of the institutions to seek patents and copyrights which may accrue from research activities.

However, in order to protect the interests of individuals, the equity earned through the support of research by public funds and the public welfare, the Board hereby authorizes the institutions under certain conditions outlined below to seek copyrights and patents and to participate in the income therefrom.

The Board and the institutions are aware that they do not have sufficient funds to furnish the necessary encouragement to all phases of original endeavor. Consonant with these declarations is the investiture of variant, restrictive rights in the areas of letters, arts and sciences in order to furnish an additional incentive. For this purpose the division of policy falls into three categories:

1. The individual. The faculty member alone, or in collaboration with others in his institution or elsewhere, who works on his project in his spare time and finances it himself if need be shall be free to decide whether he will copyright or patent his product. If he does so decide, he should make report to the head of his institution and the institution will give any reasonable assistance, making no claim of right or interest, believing that its prestige is adequately enhanced by the recognition of the successful contributions of its faculty. Should assistance beyond a reasonable amount be desired by the individual, he may negotiate with the institution an agreement whereby the institution shall be reimbursed for its expense in providing assistance either through a direct charge to the individual or through a share of the income resulting from the copyright or patent.

2. Sponsored research. Where production, work or research based on a commission or grant from outside agencies, governmental, foundational, institutional and private, results in work or discoveries which may be copyrighted or patented, the head of the institution may negotiate with the individual and the outside agency. He is further authorized to enter into a separate contract whereby the patent or copyright may be secured and controlled by the institution, the individual or the outside agency. Where the patent or copyright shall be secured by and controlled by the institution, the contract may provide that the individual may participate in the income therefrom up to a maximum of 50% of said earnings or benefits.

3a. Institutional commission or grant. Where production, work or research based on a commission or a grant from the institution results in sales or fees, the first income must be dedicated to the repayment of the amount expended by the institution in support of the commission or grant. Furthermore, the institution may participate in the copyright or patent rights and participate in the income therefrom over and above the amount necessary to repay the cost of the commission or grant. In no event, however, shall the institution participate in income of less than $5,000 after the repayment has been made or 10% of the total income after the repayment, whichever is greater. The division of any income in excess of $5,000 or the 10%, whichever is greater, between the individual and the institution shall be subject to negotiation, but in no event shall the individual receive more than 50% of the overage. In the areas of public health and safety, the institutions are authorized to take whatever steps are necessary to obtain patents whenever such patents are deemed necessary to protect the public interest.

3b. Patents secured through institutional support. Where production, work or research based on a commission or grant from the institution results in

> work or discoveries which may be copyrighted or patented, or where the material or discovery is produced on institutional time and by use of institutional funds or facilities, the patent or copyright shall be secured and controlled by the institution and the first income therefrom must be applied to the repayment of the amount expended by the institution in connection with such production, work or research. Furthermore, the institution shall participate in the copyright or patent rights and participate in the income therefrom over and above the amount necessary to repay the cost of the institutional contributions, except that the individual shall participate in an amount and under the conditions recommended by the head of the institution and approved by the Board of Trustees up to a maximum of 50% of said earnings or benefits. Any negotiations incident to patents and copyrights shall be carried on between the individual and the head of the institution, or his designees, with all agreements subject to final approval by such institutional head and the Board of Trustees of State Institutions of Higher Learning. In the areas of public health and safety, the institutions are authorized to take whatever steps are necessary to obtain patents whenever such patents are deemed necessary to protect the public interest.

No patent management agency other than the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on behalf of the University; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, an inventor would share in the income derived from the sale or exploitation of patents obtained on his invention; in the exploitation of patent rights in their inventions, the University advises individual inventors on its staff to avail themselves of the services of Research Corporation, with which the University has entered into a patent development agreement, by voluntary assignment of their inventions to Research Corporation.

UNIVERSITY OF MISSISSIPPI

University, Mississippi

Formalized research and patent policy, adopted 16 January 1958 and amended 28 July 1960 by the Board of Trustees of Institutions of Higher Learning of the State of Mississippi for the institutions under its control (see Mississippi State University above for policy statement); applicable on a university-wide basis. No patent management agency other than the University Attorney.

KIRKSVILLE COLLEGE OF OSTEOPATHY AND SURGERY

Kirksville, Missouri

No formalized research or patent policy, although the formulation of such a policy is under study; at present the College follows the general practice that patentable discoveries and inventions resulting from research conducted with College facilities and at the total expense of the College shall be the property of the College and that patentable discoveries and inventions resulting from sponsored research financed in whole or in part by an outside agency shall be the subject of an individual prior agreement between the College, the personnel involved and the supporting agency. No patent management agency other than the Board of Trustees of the College.

SAINT LOUIS UNIVERSITY

St. Louis 3, Missouri

Formalized research and patent policy, adopted by the Board of Trustees of the University on 4 April 1962, effective 1 September 1962 for the period ending 31 August 1964, when the policy will be reviewed on the basis of recommendations of a standing committee established by the Director of Research to study the policy; applicable on a university-wide basis as a condition of employment as faculty and staff, of appointment to fellowships and of admission to graduate student status:

> 1. All patents obtained on inventions resulting from research conducted within the scope of University appointment or employment and/or with University facilities shall, unless otherwise specifically provided in sponsored research contracts, be assigned to a patent development agency designated by the University.
>
> 2. In selecting the patent development agency, the University shall exercise its discretion in such manner as it shall deem reasonable in order to safeguard the public interest, the equity of the inventor and of itself, and the special rights of sponsors explicitly provided for by prior contract.
>
> a. When there is no extramural sponsor
>
> (1) If a patent application is determined to be made by the University or the patent development agency with respect to any invention made by any faculty member, fellow or student, the costs thereof and all costs thereafter of prosecuting the same until either (i) issuance of the patent applied for or (ii) decision by the patent development agency not to prosecute the application further, shall not be paid by the inventor. If after inspecting and considering any invention of any faculty member, fellow or student, the University and the patent development agency shall determine not to apply for a patent with respect thereto, or having applied for a patent, the University and the patent development agency shall decide not to prosecute said application, the University and the patent development agency shall so advise the inventor who shall thereafter be free to prosecute any application therefor as he shall see fit, free of any restriction hereunder.
>
> (2) University shall have full and uncontrolled discretion with respect to the use to be made of any invention, and full right to license, sell, assign, direct the assignment, or make any other disposition thereof or of any patent or patent application therefor as University shall determine, subject

only to its contract with the patent development agency and to the requirement that one-fourth of all net income realized by the University therefrom shall be paid to the inventor.

b. When there is an extramural sponsor, the specific provisions of the respective contract shall be observed.

c. Whatever funds accrue to the University from patents shall be deposited in a restricted fund to be used in support of University research and publication, unless otherwise determined, in special instances, by the Trustees of the University.

3. The members of the staff of Saint Louis University, who are engaged in research, shall

a. maintain clear records from which the development of research and inventions can be proven;

b. make immediate and confidential disclosure to the Director of Research of any invention or discovery which may be patentable;

c. supply such documents, assignments and assistance as may be required by the University, the sponsoring agency or the patent development agency designated by the University, in order to obtain and protect the patent.

4. Any dispute arising under these policies shall be settled by a Board of Arbitration whose decision shall be final. Each party to the dispute shall select two members for the Board; the members so selected shall select an additional member.

5. The terms "patent applications and patents" as used throughout this statement refer to both United States and foreign patent applications, patents and patent rights.

6. On disclosure as provided above, the Director of Research shall see that these policies are promptly carried out.

7. Acceptance of these policies shall be a condition of employment, of appointment to fellowships, faculty or other staff positions and of admission to graduate student status.

8. The University reserves the right to terminate or alter this Patent Policy at any time by written notice to such effect, provided, however, that any such termination or alteration shall not affect any rights or obligations which have accrued and vested prior to the promulgation of such notice.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; the inventor receives one-fourth of all income realized by the University from the sale or exploitation of patents obtained on an invention assigned to Research Corporation.

UNIVERSITY OF KANSAS CITY

Kansas City 10, Missouri

Formalized research and patent policy, ratified 9 June 1940 by the Board of Trustees of the University on recommendation of the faculty; applicable on a university-wide basis:

> Should research in any field carried on with University facilities by members of the University staff or by other persons using University facilities result in pecuniary profit, such profit shall become the property of the University unless a written agreement to the contrary has been obtained with the Chancellor.

No patent management agency other than the Board of Trustees of the University.

UNIVERSITY OF MISSOURI

Columbia, Missouri

Formalized research and patent policy, adopted 9 December 1955 by the Board of Curators of the University and revised 10 February 1956; applicable on a university-wide basis:

Rights of University and of Employee

(a) The University, as the employer and as the representative of the people of the State, shall have the ownership and control of any invention developed in the course of the employee's service to the University. Each employee of the University is required, and shall upon request, assign to The Curators of the University of Missouri all domestic and foreign rights to any invention made by the employee within the general scope of his duties as employee of the University, unless such requirement is waived in writing by the University. An invention shall be considered as having been made within the general scope of the employee's duties for the University:

(1) whenever his duties include research or investigation or the supervision of research or investigation, and the invention arose in the course of such research or investigation and is relevant to the general field of an inquiry to which the employee was assigned,

(2) whenever the invention was in a substantial degree made or developed through the use of University facilities or financing, or on University time or through the aid of University information not available to the public.

(b) An employee of the University shall be entitled to all rights resulting from any invention which was made by him outside the general scope of his University duties, as defined in paragraph (a) of this section.

(c) If the University finds that an invention made by an employee of the University outside the general scope of his University duties is used or liable to be used in the public interest and executes a certificate to that effect, the employee may, if he wishes to do so, request that an application for a patent be filed and prosecuted at the expense of the University. Under such circumstances the invention may be manufactured and used by or for the University, the State of Missouri or the government of the United States for governmental purposes without the payment of any royalty.

(d) The requirement relative to the assignment of domestic patent rights set forth in paragraph (a) of this section may be waived in whole or in part in writing by the University in the case of any invention as to which it finds, upon grounds to be specified by it, that the interests of the University do not require the full assignment of such rights.

(e) The requirements relative to the assignment of foreign patent rights to the University set forth in paragraph (a) of this section may be waived in whole or in part in writing by the University if the University determines as to an invention that no foreign patent protection shall be procured or that foreign patent protection shall be procured only in specified foreign jurisdictions. An employee of the University shall not file in any foreign jurisdiction any patent application relating to an invention made within the general scope of his University duties unless the University has waived in writing the requirement that foreign rights be assigned to the University.

Report of Inventions

(a) Every invention made by an employee of the University shall be reported by such employee through his supervisor, head of department and dean to the Patent Committee of the University, unless the invention obviously is unpatentable. If the invention is the result of group work, the report shall be made by the supervisor or the head of the department and shall be signed by all employees participating in the making of the invention.

(b) The report shall be made as promptly as possible, taking into consideration such factors as possible publication or public use, reduction to practice and the necessity for protecting the University's rights in the invention. Although it is not necessary to withhold the report until the process or device is reduced to practice, reduction to practice assists in the preparation of a patent application and, if pursued, protects the interests of the University and of the inventor. If an invention is reduced to practice after the invention report is filed, the Patent Committee must be notified forthwith.

(c) For the protection of the rights of the University and of the inventor, invention reports and memoranda or correspondence concerning them are to be considered as confidential documents.

Duties of the Patent Committee

(a) It shall be the duty of the Patent Committee to review and make recommendations to the Board of Curators upon all invention reports and such other matters affecting patents as may be referred to or come before the committee.

(b) If any employee-inventor shall claim an invention as his own the Patent Committee shall afford him the right to appear personally before the committee and present such evidence relating thereto as he may have, and the Patent Committee shall make independent investigation upon said claim.

(c) The Patent Committee shall seek to reach an agreement with the employee-inventor upon the division of financial returns upon the patent.

(d) In arranging with the employee upon the division of financial returns upon the patent, the committee shall take into consideration that it is the purpose of the University to encourage and recognize individual and cooperative achievement in research and investigation, and make fair provision for the employee, keeping in mind, however, that the full rights to the patent are vested in the University until other agreements are made with the employee.

(e) The Patent Committee shall give consideration as to whether it will be to the best interest of the University to place the matter with the Research Corporation of New York for development by that company in accordance with its general procedures, or for the University to make application for the patent in its own name.

(f) In those cases in which the inventor acknowledges all patent rights are vested in The Curators of the University of Missouri and in which the inventor and the Patent Committee have agreed upon a percentage to be paid to the inventor, which in no event shall exceed 15% of the net proceeds received by the University upon any patent rights upon said invention, and where the Committee has recommended that the same be referred to Research Corporation, the President of the University, upon approving such reports, in his discretion may order the same submitted to Research Corporation before the report is submitted to the Board of Curators. In such cases the report of the Committee shall be submitted to the Board of Curators with the report of the President's action thereon. In all other cases the report of the Committee shall be submitted to the Board of Curators for approval before any action is taken thereon. After determination by the President or by the Board of Curators, as the case may be, it shall be the duty of the Patent Committee to carry out the orders and directions of the President or the Board with reference to the patent, and it shall see that all necessary steps are taken to protect the interests of the University and of the employee-inventor.

(g) If the reported invention is submitted to the Research Corporation of New York and that organization advises that it is not to the best interest of the University to seek a patent thereon, the Board of Curators may in its discretion, upon application of the employee-inventor, release all its rights in the invention and in such event if the employee-inventor thereafter obtains a patent upon such invention the University shall have no interest therein.

Report of Patent Committee to the Board of Curators

When a report of invention is presented to the Committee, the Committee shall promptly investigate the same and shall make report thereon to the Board, not later than the third Board meeting after the report is received by the Committee. In making a report to the Board, the Committee shall make recommendation upon the following matters:

(a) Approval or disapproval for application for patent.

(b) Recommendation as to whether the matter shall be assigned to Research Corporation or application for patent be made by the Board.

(c) Recommendations as to the division of income from the patent between the University and the employee-inventor or employee-inventors.

(d) If the employee-inventor claims the invention as his own, a recommendation on the validity of the claim.

(e) If the employee-inventor is the owner of the invention and requests the University to take out patent thereon, a recommendation as to whether the University should assume the obligation of obtaining the patent.

(f) If the employee-inventor requests the University to disclaim as to foreign or domestic rights, a recommendation thereon.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University or Research Corporation, the inventor receives not to exceed 15% of the net income derived by the University from the sale or exploitation of patents obtained on the invention.

WASHINGTON UNIVERSITY

St. Louis 30, Missouri

No formalized research or patent policy, although the formulation of such a policy is currently under study; as a general practice the University at present observes a laissez-faire attitude except with respect to inventions originating in the School of Medicine; patents on such inventions may be taken out provided the patent rights are assigned to some nonprofit organization and no pecuniary profit accrues to any person or stock corporation; arrangements for sponsored research are subject to approval of the Provost of the University and, when an invention is made in the course of such research and under the terms of the contract the patent belongs to the sponsor, the inventor is asked to make the assignment to the sponsor.

No patent management agency but faculty members are encouraged to utilize the facilities of Research Corporation or a similar nonprofit organization in the exploitation of patents on their inventions.

EASTERN MONTANA COLLEGE OF EDUCATION

Billings, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Eastern Montana College of Education (see Montana State College below for policy statement); applicable on a college-wide basis.

No patent management agency other than the business manager of the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the College from the sponsor.

MONTANA SCHOOL OF MINES

Butte, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Montana School of Mines (see Montana State College below for policy statement); applicable on a school-wide basis.

No patent management agency; the equities of inventors in their inventions are recognized and, when an invention is assigned to the School, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the School from the sponsor.

MONTANA STATE COLLEGE

Bozeman, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Montana State College; applicable on a college-wide basis:

> 1. All patentable inventions or discoveries made by employees of the University of Montana System (including all its various branches and divisions, and hereinafter called the System), in connection with their assigned duties and/or by the use of any of the System's facilities, shall be considered the property of the System. This policy shall not include copyrights. The term employees includes:
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> (1) Regularly employed staff members,
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> (2) Part-time or special staff members,
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> (3) Students employed by any of the System's units, and
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> (4) Any other persons using the System's research facilities.

However, provision of normal academic environment, including library facilities, does not constitute grounds for equity by the System in a discovery or invention.

2. A System unit engaged in research may with the approval of the State Board of Education, ex-officio Regents of the University of Montana, established a nonprofit association, foundation or corporation, hereinafter called the corporation, to secure, administer, exploit and defend patents in accordance with this policy. In order to avoid duplication, this duty may be exercised by an existing nonprofit research or development foundation or corporation affiliated with any unit upon authorization of the State Board of Education, ex-officio Regents of the University of Montana. An invention is to be assigned to the corporation if a discovery is deemed patentable. The resultant income to the corporation is to be used primarily for the furtherance of scientific and engineering research, and secondly for any other academic progress of the System, with 70% of the net income going to the originating unit and 30% to the System, after compensation to the inventor(s), and the cost of securing, administering, exploiting and defending patents has been deducted. The corporation is empowered to enter into agreements with other nonprofit corporations which specialized in this area, such as the Research Corporation and National Science Foundation, so that it may obtain expert advice and assistance in this matter. The organization and membership of the corporation will be determined by its articles of incorporation and by-laws.

3. Any staff member or student who believes an invention or discovery resulting from his work should be patented shall present the matter to the appropriate committee of the corporation for its consideration and disposal. Within 30 days of this presentation, the committee shall inform the inventor (s) in writing whether it plans to secure the patent or release the discovery to the inventor (s). In the latter case the inventor (s) is free to secure the patent himself, pay all fees and receive all benefits therefrom.

In the event that this committee deems that a patent should be prosecuted, the prosecution shall be carried out diligently and without expense of any kind to the inventor. The inventor must assign the patent to the corporation. The preliminary patent search must be started within 60 days from the date the matter is presented to the committee or the corporation forfeits all right to the invention.

The compensation to the inventor (s) shall be negotiated by the inventor (s) and the committee of the corporation but shall not be less than 15% of annual gross earnings which may result from the royalties, license, assignment or sale of such a patent. Payment is to be made to the inventor (s) on a yearly basis as a bonus.

4. If a dispute arises concerning the origin of an invention or patentable discovery or any aspect of patent policy, the dispute shall be presented to a patent arbitration committee constituted for this purpose at each unit.

5. It is recognized by the System that when the expenses of research, including all direct and indirect costs, at any unit are wholly borne by a private corporation or individual, hereinafter called a sponsor, assignment may be made to the individual or corporation of all patents resulting from the work. Unit corporations are prepared, therefore, to assign patents resulting from inventions in the specified field made during the life of a contract to a sponsor who bears the full cost of the investigation and provided he also bears the entire cost of securing and defending the patent.

While it may be the policy of a unit to publish promptly the results of investigations, results from sponsored research may be withheld from publication until the sponsor has had reasonable time to obtain patent protection. It shall be the general policy to attempt to secure 30% of the net income from royalties and other income received by the sponsor from patents and/or inventions which result from sponsored research at each unit. If a sponsor uses such a patent in his own operations an appropriate royalty for such use shall be negotiated with the corporation. The inventor shall receive 50% of the income to the corporation under this section.

6. Deviations from this policy as required by Federal grants and State law, including Section 75-734 of the Revised Codes of Montana, are hereby authorized.

7. Except as provided by state law and existing trust agreements, the System and its units will not claim right to an invention or discovery made by a System employee until the foregoing type of corporation has been established at the unit or the duties assigned to an existing corporation. Meanwhile the inventor is free to pursue his discovery to patent at his own expense.

Patent management agencies: the Endowment and Research Foundation at Montana State College, a separately incorporated nonprofit organization established 9 January 1946, and also Research Corporation under a patent development agreement with the Foundation; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the Foundation from the sponsor.

MONTANA STATE UNIVERSITY

Missoula, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for all six units of the University System, including Montana State University (see Montana State College above for policy statement); applicable on a university-wide basis.

No patent management agency: the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the University from the sponsor.

NORTHERN MONTANA COLLEGE

Havre, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Northern Montana College (see Montana State College above for policy statement) ; applicable on a college-wide basis:

No patent management agent; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the College from the sponsor.

CREIGHTON UNIVERSITY

Omaha 2, Nebraska

No formalized research or patent policy, although the formulation of such a policy is currently under study; at present the University observes a laissez-faire attitude, but the University would interpose no objection to a faculty or staff member deriving financial gain from the sale or exploitation of patents obtained on inventions. No patent management agency.

UNIVERSITY OF NEBRASKA

Lincoln 8, Nebraska

Formalized research and patent policy, adopted 14 August 1948 by the Board of Regents of the University; sponsored research is handled through the University of Nebraska Foundation, a separately incorporated nonprofit organization established on 3 June 1936 to solicit and administer funds for the benefit of the University, subject to clearance by the University Research Administrator and approval by the Board of Regents; applicable on a university-wide basis:

> Staff members engaged in whole or in part for the purpose of research shall report and, at the request of the Board, assign all patentable discoveries to the Board of Regents or its designated agent.
>
> Any other staff member may request the Board of Regents and any of its designated agents to accept the assignment of his patentable discoveries.

Patent management agency: Research Corporation to which the Board of Regents of the University or the inventors may assign inventions; the equities of inventors in their inventions are recognized and, in accordance with the patent development agreement with Research Corporation, the inventor receives not to exceed 15% of the gross income derived from the sale or exploitation of any patents obtained on his invention.

Nevada

UNIVERSITY OF NEVADA

Reno, Nevada

No formalized research or patent policy, except with respect to compensated outside professional services by faculty members, although the formulation of such a policy is currently under consideration by a joint faculty-administration committee; sponsored research conducted by or under the auspices of the Desert Research Institute, a special nonprofit research division of the University, authorized by the Nevada State Legislature and established in October 1960, is subject to the terms of the research grants or contracts. No patent management agency other than the Board of Regents of the University.

New Hampshire

DARTMOUTH COLLEGE

Hanover, New Hampshire

No formalized research or patent policy, although the formulation of such a policy is currently under study; at present the College handles each situation on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF NEW HAMPSHIRE

Durham, New Hampshire

Formalized research and patent policy, originally adopted 20 January 1951 and revised 19 March 1960 by the Board of Trustees of the University; administered by a Patent and Copyright Committee and applicable on a university-wide basis:

> To carry out the patent and copyright policy of the University as here set forth, the University shall establish a Patent and Copyright Committee, hereafter referred to as the Patent Committee.
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> The Patent Committee shall be charged with the following responsibilities:
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>> To act in accordance with the policy here set forth.
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>> To make such recommendations to the President with respect to any changes in the patent and copyright policy of the University as may, from time to time, be deemed advisable.
>>
>> To receive and consider invention disclosures from faculty and staff members, students and alumni of the University, hereinafter referred to as University members, who may desire to patent an invention or discovery.
>>
>> To assess the probable importance of inventions or discoveries brought to its attention.

To determine whether or not the invention or discovery is in the interest of and should be patented for the general good of the public.

To determine whether or not the University has an interest in any invention or discovery made by a member of the faculty or staff or by a student. Where such an interest is found to exist, the Patent Committee shall act in accordance with the policy here set forth, and, when necessary, the Committee shall advise the President and the Board of Trustees of the University what steps should be taken to protect and, where desirable, to exploit the University's interest.

To offer advice and help to University members concerning procedures that should be followed in order to gain adequate protection between the time of conception of an invention or discovery and the processing of a formal application for a patent.

For purposes of classification, the University shall recognize that patents fall into the following three categories:

Those that result from projects sponsored by an agency outside the University. Such patents shall be the property of the sponsoring agency or the University, as determined by a contract agreement between the University and the sponsoring agency. When a patent is determined to be the property of the University, the University shall award the inventor a share of the revenue. The Patent Committee shall recommend to the President and Board of Trustees of the University in each case which of these methods of basing the award shall be followed.

Those that result from projects sponsored by the University and for which an individual is employed specifically to devote all or a specified portion of his time. Such patents shall be the property of the University. However, the University shall recognize the interest of inventors in their inventions and, if a patent is granted the University, shall award the inventor a share of the revenue derived from the development of the invention or discovery.

Those that result from activities carried out by an individual University Member on his own initiative and for which he is not explicitly employed by the University. Such patents shall be the sole property of the inventor.

University members engaged on any projects from which an invention or discovery is likely to arise shall keep adequate records, witnessed where necessary, and shall report promptly to the Patent Committee any inventions or discoveries whether or not the inventor believes the University has a direct interest in the invention or discovery.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the University, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

FAIRLEIGH DICKINSON UNIVERSITY

Rutherford, New Jersey

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude pending recommendations of a faculty committee; the general understanding is that any tangible results of research belong to the University if accomplished under the aegis of the institution, but provision is made for reasonable participation of the faculty member in any economic benefits accruing to the University. No patent management agency.

INSTITUTE FOR ADVANCED STUDY

Princeton, New Jersey

No formalized research or patent policy; as a general practice the Institute observes a laissez-faire or hands-off attitude except that, with respect to government contract research, employees engaged on such research are required to sign an agreement to assign all patentable inventions or discoveries to the Institute or to the sponsor in accordance with the following provisions:

> 1. The employee hereby agrees to furnish to the Institute complete information in connection with any patentable invention or discovery made or conceived by the employee during the period of his employment by the Institute in connection with research and development work under such contract; and further agrees to assign to the Institute or to the United States Government, as requested, all right, title and interest in and to any invention or discovery so made or conceived by the employee and to execute all documents and do all things necessary to enable the Institute or the United States Government to obtain any patents or to file any applications for patent in the United States or any foreign country covering such invention or discovery.
>
> 2. The Institute hereby agrees that it will at the request of the employee grant to the employee and to any person or party designated by the employee a nonexclusive license under any patent or patents assigned to the Institute or to the United States Government by the employee under the provisions of this agreement, provided, however, and only upon condition that approval thereto shall be secured from the proper officer of the United States Government having jurisdiction in the premises, whose judgment on such matters shall be final, binding and conclusive and in the event of refusal by such officer to approve any such proposed nonexclusive license, the Institute shall not in any wise be liable to the employee.

No patent management agency other than the Board of Trustees of the Institute.

NEWARK COLLEGE OF ENGINEERING

Newark 2, New Jersey

Formalized research and patent policy, adopted 21 May 1954 by the Board of Trustees of the College but currently some consideration has been given to its revision; applicable on a college-wide basis to both faculty and students, also to research conducted under the Newark College of Engineering Research Foundation, a separately incorporated nonprofit organization established 22 May 1959, to coordinate research at the College under an agreement with the Board of Trustees:

1. All research shall be conducted only upon the understanding and condition that the College shall have the right, if it so desires, to publish the results thereof without liability.

2. All research shall be conducted only upon the understanding and condition that the name of the College will not be used for advertising or promotional purposes in connection with any discoveries or products arising from such research without authorization so to do in writing by the College.

3. No materials or equipment shall be used on unsponsored projects except for and to the extent of regular course work without the permission of the department chairman or his designated representative. When such permission is given, the person conducting the research shall reimburse the College for the cost of such materials and any damage to the equipment beyond normal wear and tear.

4. In connection with any research on unsponsored projects, the College shall share in the fruit of such work to the extent of one-fourth of the funds derived from any inventions or patents arising from said unsponsored research.

5. In connection with any research on projects sponsored by the College (including projects sponsored by grants-in-aid and research fellowships given without expectation of any direct return to the donor or projects sponsored by any other gifts in which the College is free to set the patent policy), engaging in such projects shall be considered and shall constitute an assignment to the College of any and all interest in and to the results of such research, including any patentable inventions, and any persons engaging in such research thereby agree to execute any documents necessary or appropriate to give formal effect to such assignment and, upon request, to execute any applications for letters patent in connection therewith. Such persons also thereby consent to the reassignment by the College, at its option, to any patent management agent designated and to the reassignment by the College or such management agent to a purchaser thereof. The College shall take such steps as may be necessary to insure the inventor an equal share with that of the College in any net proceeds earned or derived from said invention, its licensing or sale. The College shall have a period of at least six months from the date on which full disclosure, in writing, is made to it of any invention to determine whether it desires to maintain any interest in the said invention. Only after the six-month period may the inventor request a release.

6. In connection with any research on projects sponsored by third parties under contract with the College, the contract shall provide for the respective rights of the College, the sponsor and the persons to be engaged in the research in and to any inventions which may result. If, under the contract, the College is to have an interest in such inventions, the College shall make provision for an equal participation by the College and the person or persons conducting such research in the net profits or proceeds earned or derived by the College from said invention, its licensing or sale.

7. All persons engaged or to be engaged in any research shall sign a statement that they are familiar with and agree to be bound by the within Declarations of Policy.

8. All persons engaged in any research on projects sponsored by third parties under contract with the College shall, at the option of the College, be required either to enter into a written contract with the College covering their work and providing for the respective rights of the College, the sponsor and such persons or shall sign a statement that they are familiar with the provisions of the contract with the sponsor relating to rights in and to inventions and agree to be bound

thereby and to the terms of the within Declarations of Policy to the extent not inconsistent with said contract with the sponsor.

9. The President of the College, or such representative as he may designate in writing, shall be the authority for administering this declaration and making binding decisions thereunder. This declaration shall obligate the students and faculty to promptly report to the President or his duly designated representative any inventions for review under the terms of this statement.

Patent management agency: Research Corporation under a patent development agreement with the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College or to the Newark College of Engineering Research Foundation, the inventor shares in the net income derived from the sale or exploitation of patents obtained on the invention.

PRINCETON UNIVERSITY

Princeton, New Jersey

Formalized research and patent policy, originally adopted 16 April 1953 and last revised in May 1961 by the Faculty and the Board of Trustees of the University, replacing the earlier policy adopted 7 November 1938; sponsored research, which is administered under the University Research Board and an Office of Research Administration, is conducted in accordance with prescribed procedures, as defined in the policies for sponsored research approved 26 April 1960 by the President of the University, and subject to the terms of the research grants and contracts; applicable on a university-wide basis to all members of the University, including faculty, staff and students:

A. Basic Objectives

1. To maintain the University's academic policy of encouraging research and scholarship as such without regard to potential gain from royalties or other such income.

2. To make inventions developed in the course of University research available in the public interest under conditions that will promote their effective development and utilization.

3. To assure that inventions developed in the course of University research will not be used to the detriment of the public interest by the unnecessary exclusion of any qualified user or by any other means.

4. To provide adequate recognition and incentive to inventors through a share in any proceeds from their inventions since, unlike common commercial practices, university charges and salary scale are not based on the expectation of income by the University from inventions.

5. To advance and encourage research within the University with the funds accruing to the University from its equity in those inventions which are developed in the course of research supported by funds or utilizing facilities administered by the University, or other inventions which are handled through the University.

6. To recognize the equity of any outside sponsor of research within the University by making reasonable and equitable provision for the granting of limited patent rights to the sponsor, consistent with the University's basic objectives above outlined.

B. The University Research Board, the Office of Research Administration and Research Corporation

The University Research Board, hereinafter referred to as the Board, is responsible for general oversight and administration of the University's patent policy as regards the University, its faculty, employees, students and outside sponsors.

The Office of Research Administration is responsible for the processing and management of inventions and patents under general oversight of the Board.

Research Corporation, hereinafter referred to as Research, is a nonprofit foundation which distributes its total net income as grants in aid of research to colleges, universities and scientific institutions. As stated in its charter, it was established to receive and to acquire inventions and to render the same more available and effective in the useful arts, to provide means for the advancement of scientific investigation by contributing the net earnings of the corporation to scientific and educational institutions and to receive other monies and property and to apply the same to the objects specified.

It is not the University's policy to take title to an invention or patent. The University has, however, entered into an agreement with Research whereby if the University recommends the assignment of an invention to Research and it accepts this assignment, Research patents and commercializes the invention without expense to the inventor and agrees to pay a share of the gross income to the inventor. The net income from the invention after the payment of the inventor's share and special expenses in connection with the invention is shared between the University and Research. The University in turn allocates its share of net income received from Research for further research and scholarship, the Board and the President making the allotments. In doing this, preferential consideration will be given to proposals for the use of funds derived from any particular patent by those working in the field of research from which the invention arose.

In the interests of the individual because of the complexities and expenses involved in handling patents, and in the interests of the University because of its equity in inventions as described herein, the University recommends that a faculty member, employee, or student who makes an invention refer the same to the Office of Research Administration for handling through Research, as above outlined. It reserves the right to consider every invention presented on its merits in order to decide whether it should be presented to Research for its consideration.

C. Relations between the University and faculty, employees and students

All faculty members, employees and students, in consideration of their membership in the academic family and the approval of this policy by the Trustees and the Faculty of Princeton University, agree to handle inventions and patents resulting therefrom as follows:

1. Any faculty member, employee or student may refer any invention to the University or may apply for a patent on his own initiative. If an invention is referred to the University, the inventor will agree to follow its recommendations as to how the invention should be handled and to execute all necessary papers to handle the invention as decided by the University. If an invention is not referred to the University and a patent is applied for on that invention, a copy of the patent application, when filed, shall be furnished to the University. If necessary as a substitute for a copy of the patent application, the University may be furnished with a notification of filing and an explanation of the government security regulations or other conditions which make the furnishing of a copy of the patent application impossible.

2. When an invention is referred to the University, it will review the merits of the invention and will decide whether the invention should be referred to Research or whether other steps should be taken to patent, assign or license the invention. If it so decides, the University may return the invention to the inventor to handle on his own initiative, relinquishing any equity it may have in the invention, but reserving the right to approve assignment or license as covered by paragraph 6 below.

3. The equity of any faculty member, employee or student who makes an invention and the equity of the University shall be established by the University in conference with the inventor. Unless there are unusual equities, division will be made as hereinafter provided. The University will consider that it has an equity in any invention which is developed in the course of research supported by funds or utilizing facilities administered by the University or any other invention which is handled through the University. The University will consider it has no equity in inventions which are patented by the inventor on his own initiative and which are not developed (even though intellectually conceived) in the course of research supported by funds or utilizing facilities administered by the University. The payment of salary, scholarships and fellowships or similar stipends will not of themselves constitute any basis for an equity by the University in an invention.

4. For any invention which is developed in the course of research supported by funds or utilizing facilities administered by the University, and which is assigned to Research, the inventor will be paid 15% of the gross income received by Research and the University's equity will be considered to be its share of the net income remaining. For such inventions which are referred to the University, but which the University and the inventor agree to handle in some other manner than through Research, the relative equities of the inventor and the University will be comparable to those which would have been realized had the invention been assigned to Research. For such inventions which are not referred to the University, but are patented by the inventor on his own initiative, the University's equity will be considered to be 40% of all monies received from the assignment, license or use of the patent after expenses incurred by the inventor are deducted.

5. For any invention which is not developed in the course of research supported by funds or utilizing facilities administered by the University, but which the inventor elects to handle through the University and Research, the University's equity will be considered to be 10% of the gross income realized by Research, with the inventor receiving 47.5% and Research 42.5% of the net income remaining after deduction of special expenses incurred by Research with the approval of the inventor. However, since the University's agreement with Research only provides for payment of 15% of the gross income by Research to the inventor, any amount in excess of this will be paid to the inventor by the University from the University's normal share.

6. No assignment or license or agreement to assign or license any invention developed in the course of research supported by funds or utilizing facilities administered by the University may be entered into by any faculty member, employee or student without the written consent of the University. The University shall have the ultimate right to resolve any conflict of interests arising in this connection with third parties or organizations. The basic objectives cited in section A of the patent policy will serve as the criteria for approval of assignments, licenses and agreements to assign or license.

7. When the University and an outside sponsor enter into an agreement for research to be conducted with funds or facilities provided by such sponsor, any individual who utilizes such funds or facilities may be required to enter into an agreement as to invention arising from such utilization.

> 8. If a dispute should arise between an inventor and the University with respect to the provisions of this section C, the question shall be referred for decision to a Board of Arbitration composed of one representative nominated by the inventor, one by the University and a third member selected by the two representatives thus chosen.
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> D. Relations with outside sponsors
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> It is the intent of the University in accepting grants or contracts from outside sponsors for the purpose of research: that sponsored research projects will operate within the framework of the University staffed mainly by regular members of the University; that the work undertaken will in general be of a research rather than of a developmental nature; that the research will be related to the educational program; that it holds promise of contributing substantially to the general fund of knowledge; that it is of sufficient interest and importance to be undertaken enthusiastically; and that the conditions of the contract or grant covering the project will interfere as little as possible with the regular University procedures and policies. These criteria will be modified only to the extent absolutely necessary in the case of projects of urgent national interest.
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> When an outside sponsor of research desires a formal agreement covering inventions and patents, the provisions of such agreement will be negotiated with the University in accordance with this patent policy and with particular attention to the objectives cited in section A hereof.

Patent management agencies: Research Corporation and Battelle Development Corporation, both for the University and for individual inventors by voluntary assignment of their inventions, under patent development agreements with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or to Battelle Development Corporation, the inventor receives at least 15% of the gross income received from the sale or exploitation of patents obtained on the invention.

RUTGERS, THE STATE UNIVERSITY

New Brunswick, New Jersey

Formalized research and patent policy, adopted 21 January 1949 by the Board of Trustees (superseded since 1 July 1956 by the Board of Governors) of the University, under which the University retains no proprietary interest in inventions made by regular faculty members; however, a proposed new and radically different policy has been formulated and will be submitted for final approval by the Board of Governors of the University in September 1962; sponsored research is conducted in accordance with prescribed procedures under the terms of the research contract and patent rights in inventions resulting from such research are subject to advance arrangements by mutual agreement between the inventors and the sponsors; applicable on a university-wide basis, except with respect to the Institute of Microbiology, an unincorporated coordinate nonprofit research division of the University, established in May 1949, which has its own patent policy, as indicated below:

> All rights to inventions and patents resulting from research conducted in the University belong to the inventor unless otherwise arranged in advance by mutual agreement between himself and an outside cooperating agency.
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> It is recognized that research may lead to invention even though such was not its original aim. Any member of the University staff who may make an invention,

> whether working privately or conducting research supported by University funds that are not under any restrictions with regard to patents, is free to apply for patents according to his own desires. If the work was done under an agreement executed before the work was begun, which reserves patent rights to the cooperating agency, the staff member is then bound by the terms of the agreement. Such agreements are made by the staff member concerned with the cooperating agency, which assumes all responsibility for enforcing the agreement. The University is not a party to such private agreements.
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> The University retains no proprietary interest in any invention by a member of its staff. It neither owns patents nor does it accept assignment of any patent rights. It desires, however, that inventions by members of the staff, made as a result of their researches, whether alone or cooperatively, shall be administered in an effective manner and with due regard for the public interest. A University Committee on Patents, appointed by the President of the University, gives assistance and advice on patent matters to members of the staff and serves as a clearing house for information about patents applied for and secured.
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> If any staff member so desires, he may assign his patent rights to the Rutgers Research and Educational Foundation, a nonprofit corporation under the laws of the State of New Jersey. The purpose of the corporation, in the language of the certificate of incorporation, is "to promote, encourage and aid scientific investigation and research at Rutgers University, the State University of New Jersey, conducted by The Trustees of Rutgers College in New Jersey, by the faculty, staff and students thereof and those associated therewith and to provide and to assist in providing the funds and facilities by which their scientific discoveries, inventions and processes may be developed, applied and patented and the public and commercial uses thereof determined and by which such utilization or disposition may be made of such discoveries, inventions and processes, and patent rights and interests therein, as may tend to stimulate, promote and provide funds for further scientific investigation and research within said university."
>
> It is the policy of the Foundation to accept assignments of patentable inventions from University staff members and applications for patents thereon, to prosecute such patent applications, to negotiate license agreements for the manufacture, use and sale of the patented products and, where circumstances permit, to defend patents against infringement. The Foundation will assume responsibility, within reasonable limits to be determined on the merits in each instance, for any legal and business service in connection with the prosecution and protection of patent applications and patents and the negotiation of royalty agreements.
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> The Foundation conforms to the research and patent policies of the University and cooperates with the University Committee on Patents. Particularly, the Foundation, in each instance in which a patentable invention is assigned to it, makes an agreement with the assignor by which the assignor receives an agreed proportion of the net avails realized by the Foundation from the invention.

Formalized research and patent policy of the Institute of Microbiology, adopted 23 April 1954 by the Board of Trustees of the University; applicable on an institute-wide basis to all personnel of the Institute, including faculty members, graduate students and other personnel of the Institute, who as a condition of employment or study are required to execute a written agreement to abide by the policy:

> The Institute of Microbiology of Rutgers, The State University is dedicated to the pursuit of knowledge in the field of microbiology and allied sciences. Members and all other personnel of the Institute, a coordinate division of the University, uphold the principle of service in the public interest.

> The research programs at the Institute are supported by funds made available to the Institute by the University granted to it by the Rutgers Research and Educational Foundation or by philanthropic, governmental and industrial organizations. In the event that such research results in patentable improvements, processes, discoveries or inventions, the specific patent agreement between the University and the organization supporting such research shall prevail. In the absence of such a patent agreement, all faculty members, graduate students and other personnel of the Institute, directly or indirectly connected with the improvement, process, discovery or invention will inform the Director of the Institute, will execute patent applications, will actively assist in the prosecution thereof and will assign all domestic and foreign patent rights to the Rutgers Research and Educational Foundation. Any net income accruing from such patents shall be used to stimulate, promote and provide funds for further scientific investigation and research at the University.
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> The amount and manner of compensation, if any, payable to inventors and others will be determined solely by the Trustees of the Rutgers Research and Educational Foundation, in consultation with the Director of the Institute.
>
> This policy in no way infringes upon the right and obligation of all faculty members and all other investigators of the Institute freely to pursue research and publish the results obtained. Each manuscript will be reviewed jointly by the Director and the principal investigator before it is formally submitted for publication. At that time any potentially patentable inventions or discoveries will be promptly referred by the Director to the Foundation for evaluation and decision.
>
> It is agreed that the period of time between disclosure of results to the Director and publication will suffice to insure successful prosecution of any patent application in this country and abroad. Notebooks and other documents pertaining to research activities are the property of the University and will be retained in the library of the Institute of Microbiology.
>
> The Director of the Institute is charged with the responsibility of referring circumstances not covered by or in apparent conflict with this policy to the Executive Committee of the Institute of Microbiology. The Executive Committee will in turn review and recommend to the Board of Governors of the University an appropriate course of action. The decision of the Board of Governors shall be final and binding upon those concerned.
>
> If the Foundation does not elect to file application for a patent, the faculty or staff member or members will be notified promptly in writing and will then be free to make such application should they so desire.

Patent management agency: the Rutgers Research and Educational Foundation a separately incorporated nonprofit organization established 1 February 1940, both for the Institute of Microbiology and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, all rights to inventions and patents resulting from research conducted at the University are left to the inventors unless otherwise arranged in advance by mutual agreement between them and the sponsors of such research; the University retains no propriety rights in inventions made by staff members; when an invention is assigned to the Foundation under the patent policy of the Institute of Microbiology, the inventor may share in the net income derived from the sale or exploitation of any patents obtained on the invention, in an amount determined by the Trustees of the Foundation; when an invention is voluntarily assigned to the Foundation, the inventor receives an agreed proportion of the net income derived from the sale or exploitation of any patents obtained on the invention; the proposed new, but not adopted, policy provides that the University may process a patent or enter into a patent development agreement with Research Corporation.

SETON HALL UNIVERSITY

South Orange, New Jersey

No formalized research or patent policy, although the formulation of such a policy is currently under study in the Seton Hall College of Medicine and Dentistry, which is a separate legal entity located in Jersey City; as a general practice each situation is at present handled on an individual basis in both institutions. No patent management agency.

STEVENS INSTITUTE OF TECHNOLOGY

Hoboken, New Jersey

Formalized research and patent policy, adopted 6 November 1961 by the Board of Trustees of the Institute; all research conducted at the Institute is under the general administrative responsibility of a Director of Research; all faculty members, research workers and others associated with or employed by the Institute are required to execute a patent waiver agreement; applicable on an institute-wide basis:

> Members of the faculty and research staff and others associated with or employed by Stevens Institute of Technology shall agree in writing to be bound by the following provisions:
>
> > (a) With respect to work relating to governmental contracts in which Stevens is engaged, any improvement, invention or discovery, conceived or first reduced to practice in the performance thereof, shall be assigned to Stevens (the entire right, title and interest therein and thereto, in all countries).
> >
> > (b) Improvements, inventions or discoveries conceived or first reduced to practice of subject matter which does not relate to that of governmental contracts or industrial contracts, as provided in paragraph (a) above, shall remain the property of the individual or individuals concerned.

Patent management agency: Research Corporation, both for the Institute and for the inventors by voluntary assignment of their inventions, under a patent development agreement with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the Institute, the inventor receives a fixed percentage, not to exceed 15%, of the gross income derived from the sale or exploitation of any patents obtained on the invention, as determined by the Institute.

New Mexico

NEW MEXICO HIGHLANDS UNIVERSITY

Las Vegas, New Mexico

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a patent policy study committee; as a general practice, each situation is at present handled on an individual basis; sponsored research is administratively coordinated under the Institute of Scientific Research, a special nonprofit division of the University established in 1957. No patent management agency other than the Institute of Scientific Research.

NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY

Socorro, New Mexico

Formalized research and patent policy, adopted 9 March 1946 by the Board of Regents of the Institute (formerly the New Mexico School of Mines) and included in the following agreement signed by all faculty members and research workers; applicable on an institute-wide basis:

> In consideration of my employment by the New Mexico School of Mines, a corporation (hereafter called the School of Mines), I agree to assign to the School of Mines or to the United States Government or to any other appropriate research sponsor designated by the School of Mines all my rights in and to inventions that, during the periods of my employment and during the period of one year first following the termination of the last period of employment, I have made or conceived or may hereafter make or conceive, either solely or jointly with others, as a result of such employment and/or with the use of the School of Mines' time, material or facilities, and/or relating to any matter with which my employment by the School of Mines is or may be concerned. I further agree, without additional compensation to be paid by the School of Mines and without expense to me, to execute, acknowledge and deliver to the School of Mines, to the United States Government or to any other appropriate research sponsor designated by the School of Mines any and all papers, including any and all applications for patents, as may be necessary to obtain patents covering said inventions and to convey all rights, title and interest therein.
>
> It is understood by me that the School of Mines may or may not elect to file and prosecute applications for patents under inventions developed as a result of my employment activities.
>
> It is understood by the School of Mines and by me that all rights, titles and interests in and to all inventions, patented or unpatented, which I made or conceived prior to my employment by the School of Mines are not affected by or included in this agreement.

Contract research handled through the Research and Development Division, an unincorporated nonprofit unit of the Institute, established 9 March 1946 to perform research and to fulfill contractual obligations for the performance of research and development work entered into by and between the Institute and both governmental and private agencies; with respect to inventions made as result of sponsored research and assigned to the Research and Development Division on behalf of the Institute, in accordance with the above agreement, the

Division observes the following policy, adopted 9 March 1946 by the Board of Regents:

> The Division agrees that if, during the period of the agreement, any of its employees shall make a discovery or invention while working on the project, the Division will promptly make such a discovery known to the sponsor, and upon request and at the expense of the sponsor, and through attorneys named by the sponsor, said employee shall make application for letters patent and the Division agrees to assign said application and any and all rights to said invention to the sponsor under the conditions of the agreement. It is mutually agreed that any expense for the filing and assignment of applications for letters patent or any expenses in connection with the prosecution of said applications or the recording of such assignments and any expenses such as charges for staff time, travel and other expenses incurred in the preparation and prosecution of application for letters patent, though payable by the sponsor, shall not constitute a part of the principal sum payable under this agreement. The sponsor agrees to make all inventions registered during the project available to the New Mexico Institute of Mining and Technology for its institutional research program and for its experimentation on state-owned land.

No patent management agency other than the Research and Development Division, acting for the Institute; although all members of the staff of the Institute sign the patent waiver agreement, it is expected that a staff member who makes a marketable invention would receive some negotiated share of the income received from its exploitation, the amount of which would be determined by the relation of the subject matter to the job for which the staff member was paid; the Institute does not have a primary interest in the holding of patents as revenue producing devices and seeks to minimize the interest of staff members in working on patents to the extent that such an interest on the part of employees might decrease communication among them.

NEW MEXICO STATE UNIVERSITY
University Park, New Mexico

Formalized research and patent policy, adopted 7 October 1960 by the Board of Regents of the University; applicable on a university-wide basis and administered by the Research Council:

> The productive output of the University, regarded as an institution of learning, must be judged partly on the basis of its contribution to scholarship and scientific knowledge. Discoveries and inventions which appear as a natural product of original work should be made available in the public interest under conditions that will promote their effective development and beneficial utilization, but the potential gain from royalties or other compensation should never be allowed to influence the programs of scientific research nor should such expectations be allowed to regulate support of academic investigation. In recognition of these principles, this policy is established to lend encouragement to scientific personnel at the University by promoting a plan to make inventions conceived by members of the staff available in the public interest. It provides, for the benefit of the inventor, a share in any proceeds that may arise as a result of the development of his invention; and, in addition, assigns all net income which the University may derive from patents on such inventions to the support, directly or indirectly, of research conducted by New Mexico State University.

> Organization. The general responsibility for the administration of this patent policy shall be vested in the Research Council. The Research Council shall give advice and assistance to members of the staff who wish to apply for patents and shall maintain records of its activities. The original Research Council shall be appointed in the manner to be prescribed by the Board of Regents. The method of filling vacancies on the Research Council shall likewise be provided for by later action of the Board of Regents.
>
> To implement the effective operation of this policy, the University may enter into an agreement with the Research Corporation of New York City to obtain the services of its patent management division. The Research Corporation is a nonprofit foundation, which distributes its total net income as grants in aid in research to colleges, universities and scientific institutions. The University may, if an effective agreement cannot be worked out with the Research Corporation of New York City, enter into an agreement or agreements with other firms or corporations engaged in similar activities.
>
> Patent rights. All rights to inventions and patents resulting from activity unrelated to the University program belong to the inventor, unless he has entered into an agreement arranged in advance between himself and the University or a cooperating outside agency.
>
> Inventions or discoveries resulting directly from a program financed entirely or in part by the University shall be made available in the public interest either through publication or, following appropriate patent procedure, by commercial development and utilization. Under the latter alternative the University reserves the right to establish the amount and character of its equity in the proceeds.
>
> Patent assignment. A member of the University staff, if not encumbered by any prior agreement, may by action through the Research Council assign his invention to the Research Corporation or any other agency with which the University has entered into an agreement. If the Research Corporation or other agency accepts the assignment, it will file and prosecute the patent application without expense to the inventor and will subsequently exploit the commercial development of the invention under appropriate license agreements. Fifteen per cent of the gross income derived from such licenses will be paid annually by such Research Corporation or other such agency to the inventor and, after deductions for costs and expenses, fifty percent of the net income will be paid to the University provided, however, that in no instance shall the fifteen per cent to be paid annually to the inventor exceed fifty per cent of the net income; if the fifteen per cent exceeds fifty per cent of the net income, then the percentage of the gross income shall be reduced to the point where it does not exceed fifty per cent of the net income. The remaining fifty per cent will be retained by the Research Corporation and added to its fund for research grants.
>
> Definition. Staff member shall mean any faculty member or other person associated with the teaching or research staff of the University.
>
> **University use of patents.** The University shall reserve the right, insofar as possible, to produce for its own use items patented under any of the provisions above. Such use shall be royalty-free.

No patent management agency but, if an effective patent development agreement can be made with Research Corporation or a similar nonprofit organization, their services would be utilized; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, under the agreement made with Research Corporation or other such organization, the inventor would receive 15% of the gross income derived from the sale or exploitation of any patents obtained on his invention.

UNIVERSITY OF NEW MEXICO

Albuquerque, New Mexico

Formalized research and patent policy, adopted 30 October 1959 by the Regents of the University after prior approval by the Faculty Policy Committee; all research activities at the University are administratively coordinated by a Director of Research, who also handles sponsored research arrangements; applicable on a university-wide basis:

> Recognizing that patentable inventions may result from any research done at the University and recognizing the desirability of proper prosecution of patents resulting from such research, the following policy is established:
>
> 1. Definitions as used in this statement of policy:
>
> > (a) Staff member shall mean any faculty member or any other person associated with the teaching or research staffs of the University;
> >
> > (b) President shall mean the President of the University or his duly authorized representative.
>
> 2. All staff members shall be encouraged to disclose to the President all discoveries which result from their research which, in their opinion, may lead to valuable and patentable inventions.
>
> 3. Patent management agent. Whenever practicable, the patent management agent shall be a nonprofit management organization such as Research Corporation or a similar institution.
>
> 4. Patent committee. The Patent Committee shall be appointed by the Faculty Policy Committee and shall consist of five members of the Faculty. In considering a specific case, the Patent Committee shall appoint one or two consultants who, in the judgment of the Committee, have specialized knowledge in the area being considered.
>
> 8. Use of funds. Insofar as reasonably possible, funds received by the University as a result of inventions shall be used to sponsor additional research.
>
> 9. Failure to prosecute. In the event that the patent management agent fails to communicate through the University to the inventor its decision to proceed to obtain a patent within nine months after the disclosure to the President, the inventor shall have the right to initiate patent proceedings as an individual.
>
> 10. University use of patents. The University shall reserve the right insofar as possible to produce for its own use items patented under any of the provisions above. Such use shall be royalty-free.
>
> 11. Negotiations with outside agencies. Negotiations with outside agencies shall be carried on in such a way as to obtain for the inventor and the University the maximum possible rights. None of the provisions of this policy shall be interpreted in such a way as to preclude the making of or limit the terms of an agreement with an outside agency relating to sponsored research.

Patent management agencies: Research Corporation and Battelle Development Corporation under patent development agreements with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to either patent management agency, the inventor receives a share of the income derived from the sale or exploitation of any patents obtained on the invention, the amount to be negotiated on its merits.

ADELPHI COLLEGE

Garden City, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research conducted at the College is coordinated under prescribed procedures, with the administrative assistance of the Adelphi Research Center, a separately incorporated nonprofit organization established 22 January 1957. No patent management agency; ordinarily inventions made in the course of sponsored research are assigned to the sponsors.

ALBERT EINSTEIN COLLEGE OF MEDICINE

New York 19, New York

Formalized research and patent policy, originally adopted in February 1955 and subsequently amended from time to time by the Board of Trustees of Yeshiva University, of which the College is a division; faculty and staff members by reason of their employment are subject to a standard research agreement containing in essence the following patent waiver provision; applicable on a college-wide basis:

> It is the policy of the Albert Einstein College of Medicine of Yeshiva University to utilize any income to be obtained from inventions and discoveries made by members of the staff thereof exclusively for the further promotion of medical education and for the other purposes of the said College.
>
> Accordingly, the Albert Einstein College of Medicine requires that all inventions and discoveries made by members of its staff shall be assigned to the University Medical Research Foundation, a nonprofit corporation affiliated with the Albert Einstein College of Medicine, whose entire income from such inventions and discoveries is used for the exclusive benefit of the College of Medicine.
>
> In cases of patents arising on work under government-sponsored contracts, the express provisions of such contract will control.
>
> In cases where the individual inventor wishes to take out the patent in his own name and dedicate it to the public, receiving neither of profit or value therefrom, such will be permitted provided that the rights of the Albert Einstein College of Medicine in such invention are fully protected and the Faculty Patent Committee approves thereof.
>
> The inventor is required to cooperate with the Faculty Patent Committee who shall be the sole judge of the rights of the inventor and the Albert Einstein College of Medicine with regard to the aforesaid inventions and discoveries, in order to carry out the purposes of this policy.
>
> The Albert Einstein College of Medicine may require formal agreements to be signed by individual staff members to carry out the foregoing.

Patent management agency: the Yeshiva University Medical Research Foundation, a separately incorporated nonprofit organization established in February 1955; as indicated in the research agreement mentioned above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the net income accruing to the University from the sale or exploitation of any patents obtained on the invention.

ALFRED UNIVERSITY

Alfred, New York

No formalized research or patent policy; as a general practice inventions resulting from research financed by monies furnished out of the University budget belong to the University; sponsored research is subject to the terms of the research contract, including such research handled through the Alfred University Research Foundation, an unincorporated nonprofit organization established 26 November 1946 by the Board of Trustees of the University. Patent management agency: the Alfred University Research Foundation, acting on behalf of the Board of Trustees of the University.

BROOKLYN COLLEGE

Brooklyn 10, New York

Formalized research and patent policy, adopted 17 June 1957 by the Board of Higher Education of the City of New York and incorporated in a statement of principles regarding the acceptance of grants for research; applicable not only to Brooklyn College but also to all the colleges under the jurisdiction of the Board, which together constitute the City University of New York (see The City College below for policy statement).

No patent management agency, except that the Board of Higher Education will assist in applications for patents; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the extent to which an inventor shall participate in income from the sale or exploitation of patents on his inventions is determined cooperatively by the Board and the inventor.

THE CITY COLLEGE

New York 31, New York

Formalized research and patent policy, adopted 17 June 1957 by the Board of Higher Education of the City of New York and incorporated in a statement of principles regarding the acceptance of grants for research; applicable not only to The City College but also to all the colleges under the jurisdiction of the Board, which together constitute the City University of New York:

> 1. The acceptance of a research grant shall be primarily determined by the promise it holds for advancing or synthesizing our basic knowledge of significant phenomena through pure or applied research and by the prospect that the participants in the research will benefit through enhanced professional competence and learning. Possible commercial advantage or financial return either to an individual, to the college or to the agency making the grant are not primary considerations.
>
> 2. Where contract research work is to be done on the campus, except in instances where in the judgment of the appropriate dean the use of college facilities is not substantial the contract shall be negotiated by the contracting agency and the college. The costs for the project are expected to be financed by the contracting agency. Such costs shall include the cost for the use of college facilities and services, including "overhead," the stipend if any to be paid the staff member for his research, and such other items as may enter into the cost of the project.

3. The purpose of contract research on any of the municipal campuses shall not be purposefully or primarily directed toward the development of patentable products or processes. In the event that a staff member in the course of a contract project comes upon a patentable discovery, which discovery is obviously patentable in the best public interest then, such staff member, with the aid of the Board of Higher Education should apply for a patent. The Board and the staff member cooperatively shall determine the extent to which the individual involved should participate in receiving remuneration for the patent or the extent to which research activities at the municipal colleges should be supported through the application of income therefrom and whether there should be free access to the use of the patent. If the contract between the agency and the college contains provisions for the securing or disposition of a patent, and this contract is approved by the Board, the terms of the contract will be binding on all parties concerned.

No patent management agency, except that the Board of Higher Education will assist in applications for patents; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the extent to which an inventor shall participate in income from the sale or exploitation of patents on his inventions is determined cooperatively by the Board and the inventor.

CLARKSON COLLEGE OF TECHNOLOGY

Potsdam, New York

Formalized research and patent policy, originally adopted 1 July 1948 by the Board of Trustees of the College and revised 11 June 1954 by the President of the College, on the recommendation of the Research Committee of the College following the execution of an agreement with Research Corporation, whereby that nonprofit organization acts as patent management agent for the College; sponsored research is handled through a Division of Research; applicable on a college-wide basis to both faculty and students:

1. Inventions or other developments resulting directly from a program of research financed partly or wholly by Clarkson College of Technology (hereinafter called the College) shall be submitted to the Research Committee of the College. On favorable action of the Committee and with the approval of the President of the College, such invention or development shall be submitted to Research Corporation. If accepted by Research Corporation for possible patents and commercialization, 15% of the gross return from such invention or development shall go to the staff member or members concerned. The net after this shall be divided between the College and Research Corporation. If Research Corporation rejects the invention or development, the President of the College, with the advice of the Research Committee, shall (a) arrange for patents and commercialization with 15% of the gross return going to staff members concerned, or (b) release the invention or development and all rights to it to the staff members concerned. The division of income, as given above, is in conformance with the patent policies of Research Corporation.

2. Inventions or developments produced by a staff member or student along lines unrelated to a College program of research with which the individual may be connected, and to the production and development of which the College contributed nothing substantial in funds, space, facilities or time of a staff member, shall be the exclusive property of the individual producing the invention or development. If, however, the staff member or student desires to submit such invention or development to the Research Corporation, he may do so according to the provisions of paragraph 1.

> In cases where the development is produced by a student who is paying tuition, and who is utilizing for research only a reasonable amount of space and facilities, it shall be considered that the College is not contributing to the research inasmuch as it is considered that such space or facilities are provided for by the tuition payment.
>
> In cases where the student is receiving scholarship aid, the acceptance of such scholarship aid shall not be considered as changing the status of the student in regard to title to inventions or developments. The rights of the students under this section include the right to assign or otherwise dispose of these rights.
>
> In those cases where a contract is made with an outside party with definite provisions for all expenses connected therewith, including overhead, it shall be considered that the College has no equity or claim to inventions or developments resulting therefrom.
>
> Any patentable invention of a graduate student arising from his research fellowship shall be treated as though it were the invention of a staff member.
>
> The College has a primary obligation to make inventions available to industry and the public on a reasonable and effective basis, to avoid unnecessary exclusion of any qualified manufacturer from the use of an invention, to avoid situations likely to lead to litigation, and to maintain the cordial relations existing between the College and the public which it serves.

Patent management agency: Research Corporation, both for the College and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income from the sale or exploitation of the invention.

COLUMBIA UNIVERSITY

New York 27, New York

Formalized research and patent policy, originally formalized in 1944 and subsequently revised on various occasions; sponsored research is handled through the Office of Projects and Grants; applicable on a university-wide basis to faculty members, staff and students, except with respect to the patenting and exploitation of medical discoveries and inventions made by faculty members of the College of Physicians and Surgeons, the faculty of medicine of the University, as indicated below:

> The University is dedicated to scholarly activity in the broadest sense and holds that the results of university research should be made public with the greatest possible freedom.
>
> It is recognized at the same time that officers of instruction, students and other members of the University staff may in the course of their research make discoveries that can be properly classed as inventions. These inventions are often worthy of patent application and some ultimately may be patented. However, it is not deemed within the sphere of the University's scholarly objectives to assert claim to ownership in or to seek control over such inventions or discoveries. Members of the University not on the Faculty of Medicine and other than persons specifically excepted under University agreements are free to patent any device or discovery arising from their personal researches and to make any arrangements they deem desirable in reference to patents and other rights, even when these originate in their scholarly activity for the University.

Discoveries and inventions which affect public health are considered in a different category. It is the policy of the Faculty of Medicine to forbid the patenting and exploitation of any medical discoveries or inventions (see below).

The University holds that a staff member may at his own request be permitted to participate in a special contract for industrial or governmental research under which he assigns his rights to potential inventions. The University stipulates that all such work to which the University itself is a contractual party should contribute to scholarly activity or should be an activity of public benefit compatible with the aims and purposes of the University.

Where the inventor has voluntarily entered into a contract which includes a patent restriction, the invention is referred to the Committee on Patents for advice concerning the interest and obligations of the University. It has been the practice of the University to waive its rights to inventions in favor of the inventor notwithstanding specific reservations on behalf of the University which may exist in contract agreements.

Any patents given to the University or otherwise acquired are separately administered. The University has provided through the Committee on Patents and attached to the Office of the Treasurer of the University an independent organization: University Patents, Incorporated. This corporation is separated from the academic functions of the University and is empowered on behalf of the University to accept and administer patents that may be given to the University by staff members or others.

As an aid to members of the University who wish to have their inventions evaluated, arrangements have been made with the Research Corporation whereby inventions will be examined and the advisability of patenting determined. Where inventions do not appear to justify the expense entailed in patenting and development, the inventor is so advised. Inventions considered worthy of patenting may be submitted to the Research Corporation or University Patents, Incorporated, or in any other manner that the inventor may elect.

The Faculty of Medicine has defined in the following terms its policy on patents:

> Resolved that the Committee on Administration reaffirm its policy of opposition to the taking out of patents by any member of the Faculty of the Medical School. It is recognized, however, that there may be exceptional circumstances where the taking out of a patent will be advisable in order to protect the public. These cases must be brought to the Faculty for its consideration and approval.
>
> Be it further resolved that if approval is given for the application of a patent, the patent should be assigned to a nonprofit organization, such as the Research Corporation, and any royalties that accrue should be paid to to the University; no individual should benefit personally or financially from such a patent.

Patent management agencies: University Patents, Incorporated, a separately incorporated nonprofit patent holding organization wholly owned by the University, established 7 April 1924, and operating under the University Committee on Patents, and also Research Corporation under a patent development agreement with the University, both for the University and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to University Patents, Incorporated or to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention.

CORNELL UNIVERSITY

Ithaca, New York

Formalized research and patent policy, adopted 25 February 1949 and amended 19 September 1952 by the Board of Trustees of the University; sponsored research is conducted under the administrative direction of a Coordinator of Research in accordance with prescribed procedures and subject to the terms of the research contract; applicable on a university-wide basis to members of the staff and graduate students, with special provisions with respect to research in the New York State Colleges and in the Medical College located in New York City and to government-sponsored research projects:

> (1) Cornell Research Foundation. There is within the University framework an organization devoted to these aims called the Cornell Research Foundation. Its president is the University's Coordinator of Research, and its directors are drawn from the faculty, the administration, the trustees, alumni and the world of business.
>
> The Foundation has formed a Patent Committee from its membership whose function it is to assess the probable importance of inventions brought to its attention and to judge the desirability of making a patent application. In addition it is a service group available to render advice concerning procedures that an inventor should follow in order to gain adequate protection between the time of conception of his invention and the processing of formal application for a patent. Such steps include making proper notebook entry of sketches and descriptions and of having these witnessed by someone familiar with the art; the exercising of due diligence in developing the concept through successive stages; the reduction to practice of the invention; and finally the preparation of drawings, specifications and claims preparatory to filing patent application or the making of a request to an appropriate agency to do so.
>
> The Foundation's function is to administer the patenting of inventions recommended by the Patent Committee and made available voluntarily to the Foundation by members of the faculty and to protect such inventions when patented against infringements.
>
> An important objective of the Foundation is to afford the members of the Cornell staff an opportunity to further the general research program of the University and at the same time to receive reasonable compensation for their services in connection with those inventions that produce royalties, without being obliged to spend their own time or funds in patent development and commercial exploitation.
>
> (2) Research Corporation. To carry out its functions efficiently the Foundation has entered into an agreement with the Research Corporation of New York City. A member of the University may assign an invention to the Research Corporation with the understanding that the Corporation, if it accepts the assignment, will exploit the patented invention without any expense to the inventor; that Research Corporation will pay to the inventor a share (ordinarily 15%) of the gross income which Research Corporation receives from the invention; that the balance, after the expenses in connection with the patent have been met, will be divided between the Foundation and Research Corporation as provided in the general agreement covering all of these cases.
>
> Certain special procedures are set forth below in paragraphs (3), (4) and (5).
>
> (3) Medical College—special provisions. Patents arising from discoveries and inventions of members of the total staffs of Cornell University Medical College,

Cornell University-New York Hospital School of Nursing and The New York Hospital will be assigned directly to Research Corporation, except (1) in cases of patents arising in the course of work under Government-sponsored contracts and (2) in cases where individual members of the staff wish to take out the patent and dedicate it to the public. Royalties from such patents, other than those covered by the above-stated exceptions, may be accepted and received by Cornell University and/or The Society of the New York Hospital and/or The New York Hospital-Cornell Medical Center and such royalties received will be administered by one or the other, or by combinations of these institutions, for the support of research in accordance with approved policies and procedures. Royalties will not be paid to an individual inventor in connection with a patent arising from work done in Cornell University Medical College, Cornell University-New York Hospital School of Nursing or The New York Hospital.

(4) New York State Colleges—special provisions. The New York State College of Agriculture and the Agricultural Experiment Stations, the College of Home Economics, the College of Veterinary Medicine and the School of Industrial and Labor Relations are tax-supported institutions intended to promote the welfare of the general public. The purpose of the State and Federal research programs in these colleges and schools is to develop new information and improved practices, the wide-spread use of which will benefit producers and consumers and thereby give a satisfactory return to the public for its tax support of this work. Most of the results of this research are given to the public by publication. The securing of patents on new devices or processes primarily for the personal profit of members of the staff is unwise public policy and might jeopardize the continuation of public support. Patents however should be taken out whenever necessary to protect the public by control of quality and by insuring a reasonable price for the patented product. Whenever during the course of his research a member of the staff has discovered something which he thinks should be patented, it is his obligation to discuss the matter with the Dean of the College or his designated representative. If the filing of a patent application seems desirable, the inventor will be asked to bring his invention to the attention of the Patent Committee of the Foundation. Inventions resulting from research by a member of the staff on his own time, at his own expense and wholly without the use of college or station laboratories or other facilities are regarded as the private property of such staff member.

(5) Government Sponsored Projects—special provisions. Patents arising in the course of Government-sponsored contracts are controlled by the terms of those contracts. At the present time the requirement is that the Government shall receive a royalty-free, irrevocable nonexclusive license as regards domestic patents. Under many contracts the Government holds sole title and right to all foreign patents. Staff members accepting such research will be requested to execute such waivers or agreements as will permit the University to comply with its obligations to the Government.

(6) Patent Committee of the Cornell Research Foundation. When a member of the University in the course of his University activities makes a discovery that may lead to an invention, he may consult the Patent Committee of the Foundation concerning the issuance of a patent, through the chairman or any member of the Committee. If he desires to have the matter handled under section (8) below, the Committee will proceed in accordance with that plan.

The services of the Patent Committee of the Foundation are available, however, to any member of the University for action under section (8) whether or not the invention has resulted from his University activities.

(7) Independent action by inventor. If a member of the University other than

those excluded by sections (3), (4) and (5) desires to obtain a patent on his own responsibility, he may do so, whether he has consulted the Patent Committee of the Foundation or not, but he shall advise the Cornell Research Foundation of his intention and shall furnish to the Patent Committee of the Foundation a copy of the patent when issued. The Committee, when advised of his intention, may raise the question of whether the University has an equity in the proceeds of the invention because of the use of its facilities. In such event, the determination of the character and amount of the University's equity in any such invention will be settled in conference between the Patent Committee of the Foundation and the member, or members, of the University concerned. It is expected as well that the same procedure will be followed in connection with any other question arising out of the patent policy.

(8) Patent procedure. When the question of the patenting of a particular invention is brought to the attention of the Committee, the Committee will advise upon the soundness of the scientific basis of the invention and upon the advisability of patenting according to the University policy. If the Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the Committee reaches a positive conclusion or is in doubt, it may refer the matter to Research Corporation to ascertain its opinion and whether Research Corporation desires to accept assignment of the rights to the invention. If Research Corporation is unwilling to accept such assignment, the Patent Committee of the Foundation will release the matter to the inventor. If Research Corporation desires to accept the assignment, the Committee will recommend to the inventor that he assign his rights in the invention to Research Corporation and enter into an agreement with the Corporation, in accordance with the general plan adopted by the Corporation, the Foundation and the University.

(9) Inventions of a member of the University engaged in an industry-sponsored research project. In accepting a grant from industry for the purpose of research, it is the general policy of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not for a specific development in which the sponsor may be interested. If the University accepts a grant from an industrial corporation for the purpose of research in conformity with that general policy, it shall be with the written understanding that, should an invention result from this research, the University and the inventor will handle such invention in accordance with section (8).

(10) Special handling of sponsored research projects. If an outside sponsor proposes a procedure at variance with that outlined in previous paragraphs, the University will authorize its representatives to discuss such alternate procedures with the corporation and the staff members involved in an effort to arrive at a situation which will not violate the general principles heretofore set forth and which will protect the equities of all the parties involved.

(11) Copyrights. As a general rule all rights to copyrightable material shall be reserved to the author. The distribution of royalties, if any, is a matter of arrangement between the author and his publisher or licensees. Exception to this rule may occur in the case of certain Government contracts or where the University has employed personnel to produce a specific work.

(12) University fellowships and scholarships. These statements of policy shall apply to holders of University scholarships or fellowships or other graduate students.

(13) Use for research of surplus funds of Cornell Research Foundation. All net income derived by the Foundation from the ownership of patents will be devoted to research within the University with a preferential but not exclusive position being given to the Department, School or College in which the patent originated.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with the Cornell Research Foundation, a separately incorporated nonprofit organization established 15 June 1931 to handle patents resulting from discoveries made by members of the staff of the University, to assist research at the University and to encourage the broad distribution of the benefits of such research to the public; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; when an invention is assigned to Research Corporation, the inventor receives a share, ordinarily 15%, of the gross income derived from the sale or exploitation of patents obtained on the invention.

EASTMAN DENTAL DISPENSARY

Rochester 3, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; arrangements for sponsored research are subject to the approval of the Director of the Dispensary. No patent management agency.

FORDHAM UNIVERSITY

New York 58, New York

Formalized research and patent policy, adopted 5 October 1955 by the President of the University; applicable on a university-wide basis to all members of the University, including those employed specially for research purposes or making use of University facilities for research purposes:

> 1. (a) The University has rights in and to any invention conceived, developed or made by a member of the University staff, either alone or jointly with others, during the period of his employment by the University;
>
> (b) provided, however, that the University shall not assert any right to share in an invention of a member of the University staff which is unrelated to his University duties and which results from work done without benefit of University facilities and solely at the expense and on the time of the inventor;
>
> (c) but any such invention shall be announced to the University Administration as provided in paragraph 2 hereof.
>
> 2. Any invention by a member of the University staff must be announced in writing forthwith to the University Administration.
>
> 3. Research Corporation is normally employed by the University for the patenting and promotion of any invention by a member of the University staff and the University Administration may submit any invention to Research Corporation for its advice and counsel.
>
> 4. In the case of an invention in the course of sponsored research, the contract between the University and the sponsor shall supersede these regulations to the extent that such contract is inconsistent herewith.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a mutually agreed upon percentage of the net income derived from the sale or exploitation of any patents obtained on the invention.

HARTWICK COLLEGE

Oneonta, New York

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

HUNTER COLLEGE

New York 21, New York

Formalized research and patent policy, adopted 17 June 1947 by the Board of Higher Education of the City of New York and incorporated in a statement of principles regarding the acceptance of grants for research; applicable not only to Hunter College but also to all the colleges under the jurisdiction of the Board, which together constitute the City University of New York (see The City College on page 173 above for policy statement).

No patent management agency, except that the Board of Higher Education will assist in applications for patents; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the extent to which an inventor shall participate in income from the sale or exploitation of patents on his inventions is determined cooperatively by the Board and the inventor.

LONG ISLAND UNIVERSITY

Brooklyn 1, New York

No formalized research or patent policy, although the formulation of such a policy has been under consideration; as a general practice each situation is presently handled on an individual basis. No patent management agency.

MANHATTAN COLLEGE

New York 71, New York

Formalized research and patent policy, adopted in 1955 by the President's Council; applicable on a college-wide basis to faculty members and students, with research administered by a Coordinator of Faculty Research and patent matters by a Patents Committee:

> Any faculty member, full-time or part-time, or any student, graduate or undergraduate, spending time in any course, courses or research program, who on college time and using the College's facilities and materials discovers or invents any new process, product, machine or technique of application resulting in savings in the arts or sciences, shall submit such discovery and invention to the Patents Committee of the College. This Committee shall, at the expense of the

> College, pass upon the merits of such invention or discovery. In the event such invention or discovery is recommended as being of a patentable nature, the inventor (s) or discoverer (s) shall be advised of the decision of the Committee, whereupon he shall assign such invention or discovery and rights in and to the same to the College. All expenses shall be borne by the College for patenting such invention or discovery and/or protecting the same.
>
> In return for such assignment the inventor (s) or discoverer (s) shall receive up to 20% of the net of any moneys, emoluments received by the College from the sale, licensing or use of such invention.
>
> In the event the Committee does not recommend transfer of such invention or discovery to the College, the inventor (s) or discoverer (s) shall have the right to take any steps he may, to patent or exploit such invention for his own use or purpose. The College shall lay no claim to any funds received by the inventor (s) or discoverer (s) except for such expenses incurred by the College in the use of its research and development facilities.
>
> In the event of the assignation of the invention or the patent or know-how to the College, the College automatically has the right to license interested parties who wish to exploit such inventions or patent as the case may be.
>
> The foregoing may be modified in the case of research sponsored by government or industry. Where contractual arrangement with the government or industry so specify the College automatically will follow the policy agreed to in the contract.

No patent management agency other than the Board of Trustees of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives not to exceed 20% of the net income derived from the sale or exploitation of any patents obtained on the invention.

NEW YORK INSTITUTE OF TECHNOLOGY

New York 23, New York

No formalized research or patent policy; however, the formulation of such a policy is currently under consideration by a committee of the Board of Trustees of the Institute. No patent management agency.

NEW YORK MEDICAL COLLEGE

New York 29, New York

No formalized research or patent policy, although the formulation of such a policy has been under consideration by the Research Committee; as a general practice at present all patent rights in discoveries and inventions arising from research activities utilizing facilities of the College and its affiliated hospitals become the sole property of the College unless otherwise prescribed under the terms of a research grant or contract. No patent management agency other than the Board of Trustees of the College; the equities of an inventor in his invention are determined by mutual agreement at the time of the approval of the filing of an application for patent.

NEW YORK UNIVERSITY

New York 3, New York

Formalized research and patent policy, adopted 26 November 1956 by the Board of Trustees of the University; sponsored research is administered by the several colleges and research units of the University and coordinated under an Office of Research Services; applicable on a university-wide basis and administered under a University Committee on Inventions and Patents in accordance with prescribed procedures:

I. Objectives. The policies and procedures with respect to patentable inventions developed at New York University are directed towards the following objectives and purposes:

(a) Establishment of an orderly system whereby inventions resulting from research conducted under University auspices will be developed and utilized in the best interests of the public, the inventor and the University.

(b) Provision for both the University and the inventor to share equitably the royalties and other income arising out of inventions developed under University auspices.

II. Administration. (a) A committee of five members from the academic staff of the University shall be appointed by the Chancellor to direct the patent policy of the University. Such committee, known as the University Committee on Inventions and Patents (hereafter sometimes referred to as the University Committee), shall consist of one member representing the arts and science faculties, one member representing the engineering faculty, one member representing the dental and medical faculties, and two members representing the other schools, colleges and divisions of the University.

(b) The University Committee shall adopt such rules and procedures as it shall deem necessary and proper to carry out its duties and powers hereunder and to implement the policy set forth herein.

(c) Any college of the University may establish a college patent committee which shall administer matters pertaining to inventions and patents within the college, make recommendations to the University Committee with respect to University patent policy and may act for the University Committee under the rules and procedures of that Committee.

(d) Any decision, rule or other action of a college committee shall be subject to approval by the University Committee.

(e) Any decision, rule or other action of the University Committee on Inventions and Patents shall be subject to review by the Chancellor of the University.

III. Contract with Research Corporation. (a) The University has entered into an agreement with Research Corporation, a nonprofit corporation engaged in the business of promoting patentable inventions, whereby the University may at any time offer to Research Corporation any invention which the University believes is patentable and should be developed for use by the public. Such invention may or may not be accepted by Research Corporation.

IV. Inventions developed by members of the University staff in the regular course of their employment. (a) As a condition of employment or continued employment by the University, every member of the faculty, research staff or supervisory employee shall submit to the University Committee, through his college committee if one exists, any invention reasonably considered patentable, developed by him, or with some other person, in the course of his employment by the University. The University shall offer the invention to Research Corporation pursuant to the terms of the aforementioned agreement between it and the University, or offer said invention to some other entity under similar conditions or declare its lack of interest to the inventor within a reasonable time as defined in the rules and procedures of the University Committee. In the event the University rejects the invention, it shall become the property of the inventor or inventors, subject, however, to the limitations set forth in paragraph (f) hereof.

(b) The term "in the course of his employment by the University" shall be understood to mean any research activity supported by the University through: (1) purchasing special apparatus for the inventor to conduct the research, (2) providing paid professional or technical assistance to the inventor or (3) providing a specific reduction in teaching load to facilititate such research activity.

The term "in the course of his employment" shall not, however, include activities supported by the University pursuant to specific contractual arrangement whereby the University is reasonably compensated for such support, nor shall it include activities arising in approved consulting work of a staff member.

(c) If such invention is accepted by Research Corporation or other entity, both the University and the inventor or inventors thereof shall assign all their right, title and interest in the invention to Research Corporation or other entity and the invention shall become the sole property of Research Corporation or other entity pursuant to the terms of the agreement between the University and Research Corporation or other entity.

(d) The University shall pay to the inventor, his heirs, executors, administrators or assigns a portion of the net proceeds paid to the University and such portion shall consist and be computed exclusively from money received by the University from Research Corporation or other entity and arising out of commercial exploitation of the invention made by the inventor. Such portion shall be determined as follows:

> (1) The University Committee shall establish rules and standards for determining what portion of the monies paid to the University by Research Corporation or other entity and arising out of a particular invention shall be paid to the inventor or inventors of such invention.
>
> Where an invention is developed by one inventor, he shall ordinarily be paid 50% of the net proceeds received by the University from his invention.
>
> (2) Where an invention is developed by more than one person, the University Committee shall determine what portion of the net proceeds received by the University shall be paid to the inventors, their heirs, executors, administrators or assigns.
>
> (3) All decisions of the University Committee determining the payments to be made to a particular inventor and the reasons for such decision shall be set forth in writing.

(e) The payments to which the inventor shall be entitled hereunder shall be made within 90 days after the receipt by the University of the monies derived from his invention during this annual period. In addition the University shall furnish the inventor or inventors with a copy of the statement of activity and computation, furnished to the University by Research Corporation or other entity pursuant to its contract with the University.

(f) In the event Research Corporation or other entity shall reject an invention submitted to it, the University Committee, with the approval of the Chancellor may nevertheless, in behalf of the University or its designee, accept such invention by notice mailed to the inventor or inventors within a reasonable time after receipt of notice of the rejection by Research Corporation or other entity. In such event, the inventor or inventors shall assign all their right, title and interest in the invention to New York University or its designee who must file a patent application on behalf of the inventor within a reasonable time. The invention shall become the sole property of the University or its designee, and the provisions of paragraphs (d) and (e) hereof shall be applicable with respect to the distribution of all monies received by the University and arising out of commercial exploitation of the invention.

If the invention is rejected by both the University and Research Corporation or other entity, the University shall be deemed to have waived its rights in the invention. The inventor or inventors shall then be free to take such action as he or they deem desirable to obtain a patent upon the invention and otherwise exploit and develop such invention. In no event shall the inventor or inventors use the name of the University in exploiting the invention without the consent of the University Committee.

V. Inventions developed on University research projects and sponsored research projects. (a) The University conducts special research projects which may be sponsored:

(1) By the University through special appropriation;

(2) By some other person, corporation, or governmental agency under an agreement with the University.

Such special research projects are understood to be those which operate under contractual agreements or memoranda of understanding.

(b) No person shall be assigned to any special research project as defined above unless he shall first sign a written statement that he agrees:

(1) To be bound by the terms of any contract or agreement between the University and any person, corporation or other agency sponsoring such special research project to the extent that the terms of such agreement provide for the disposition of inventions developed in connection therewith, or in the absence of any such contract or agreement;

(2) To be bound by the provisions of Part IV hereof with respect to any invention developed by him, either alone or in conjunction with some other person, as a result of his assignment to such special research project; and

(3) To submit any such invention to the University Committee, through his college committee if one exists, to be processed pursuant to the procedure set forth in Part IV above.

Patent management agency: Research Corporation or other approved entity under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University or Research Corporation or other entity, the inventor receives a portion, ordinarily 50%, of the net income to the University from the sale or exploitation of any patents obtained on the invention.

NIAGARA UNIVERSITY

Niagara University, New York

Formalized research or patent policy, adopted in January 1962 by the Board of Trustees of the University and included in the employment agreement signed by the University staff at the time of their employment; applicable on a university-wide basis:

> All patentable inventions, discoveries, processes, uses, products or combinations, resulting in whole or in part from the use of the laboratories and other facilities of the University, shall be assigned to the University or to some party designated by the University, which shall endeavor with reasonable diligence to secure the necessary patents and to use its efforts to introduce such inventions, patent applications and patents into public use and to secure a reasonable revenue therefrom by issuing licenses thereunder or otherwise. It is further agreed and understood that 15% of the revenue derived from the sale or licensing of such inventions, patent applications or patents shall be payable to such inventor, his heirs, assigns and personal representatives not later than March 15 of each year by the University or other assignee.

No patent management agency other than the Board of Trustees of the University; as indicated in the statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the gross revenue derived from the sale or exploitation of any patents obtained on the invention.

POLYTECHNIC INSTITUTE OF BROOKLYN

Brooklyn 1, New York

Formalized research and patent policy, adopted 9 February 1961 by the Corporation of the Institute and made part of the Institute's Code of Practice; sponsored research is conducted in accordance with prescribed procedures and subject to the terms of the research contract; persons engaged in sponsored research are required to execute patent waiver agreements; administered by a Committee on Patents of the Corporation and applicable on an institute-wide basis to staff members, other employees and students of the Institute:

> 1. A standing Committee on Patents of the Corporation of Polytechnic Institute, supplemented as the case might require by senior faculty members, shall have the primary responsibility of establishing
>
> (a) whether an invention should be patented;
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> (b) whether the invention should be submitted to Research Corporation;
>
> (c) or whether other arrangements should be made.
>
> 2. The standing Committee on Patents may delegate the authority to act on its behalf to the President in all cases arising in connection with outside sponsored research.
>
> 3. In general, it is not the policy of the Institute to hold title to patents. The Institute has entered into an agreement with Research Corporation and may from time to time enter into agreements with other nonprofit management corporations, under which these corporations will carry out the patenting and commercialization of inventions assigned to them and accepted by them. These patent management corporations generally operate without charge to the inventor, but will pay to the inventor a share of the gross income which it receives from the invention and will divide the balance, after any special expenses in connection with the procurement of the patent have been met, between the Institute and the corporation.

4. Under special circumstances, the Committee on Patents may recommend to the Corporation of Polytechnic Institute to apply for patent protection through one of the patent attorneys engaged by the Institute. In such event special arrangements shall be made with the inventor.

5. Inventions resulting from research neither conducted under Institute auspices nor with the use of facilities controlled by the Institute shall be the exclusive property of the inventor. He may, however, if he wishes, submit his invention to the Committee on Patents for consideration, in which case it will be treated in accordance with the stated policies.

6. All monies coming to the Institute from patents under these arrangements shall be credited to a special Fund for Research. This Fund will serve to defray non-reimbursed costs of sponsored research, to initiate new research projects and to cover unusual research equipment.

7. When an invention by any student or employee of the Institute results from research conducted under the Institute's auspices, or with the use of facilities under the control of the Institute, the inventor shall report the fact promptly to the Committee on Patents.

8. If the Committee on Patents decides that the invention should not be patented and if the research was not conducted under outside sponsorship, the inventor shall be free to handle or dispose of his invention as he wishes, subject to a non-exclusive royalty-free license to the Institute if the Committee on Patents so elects.

9. If the Committee on Patents decides that the invention should be patented and submitted to Research Corporation or to any other patent management corporation with whom the Institute has entered into an agreement, and if the respective patent management corporation is willing to accept the invention under the terms of the agreement, the inventor shall assign the patent to the respective patent management corporation. Depending upon the status of the invention and the equities involved, the Committee on Patents will direct the respective patent management corporation to pay a part of the gross income from the patent to the inventor or inventors.

10. If the Committee on Patents recommends that an invention be submitted for patenting to Research Corporation or to any other patent management corporation with whom the Institute has entered into an agreement, but if the respective patent management corporation is not willing to undertake such patenting, the Committee on Patents shall then determine whether the patent shall be further pursued in accordance with paragraph 11 below or left to the inventor in accordance with paragraph 8 above.

11. If the Committee on Patents decides to recommend to the Corporation of Polytechnic to apply for patent protection because of special circumstances, the inventor shall assign the patent to the Institute. Depending upon the status of the invention and the equities involved, the Committee on Patents will recommend to the Corporation of Polytechnic Institute to pay a part of the gross income from the patent to the inventor or inventors.

Patent management agency: Research Corporation under a patent development agreement with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institute or to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention, in an amount as recommended by the Committee on Patents.

PRATT INSTITUTE

Brooklyn 5, New York

Formalized research and patent policy, originally adopted 8 May 1945 and revised 8 March 1960 by the Board of Trustees of the Institute; applicable on an institute-wide basis:

> Patent rights involved in sponsored research projects will be the subject of specific contractual agreement between the Institute and the sponsor. Such contracts will be drawn with the purpose of providing for the maximum dissemination of the results of the research, and a minimum restriction of their general use consistent with the immediate and proper interests of the sponsor and the Institute.
>
> In connection with fundamental academic research activities where the Institute makes a material contribution to the research in the form of facilities or time allowance to the faculty member, any patentable results shall be assigned to Pratt Institute for administration with the understanding that the patentee shall share equally with the Institute in any net proceeds resulting from the sale or use of the patent.
>
> A faculty member wishing patent protection for private or professional work may use the facilities of the Institute, or the services of other members of the Institute staff, only after a contract with the Institute shall have been executed either by himself or his client.

No patent management agency other than the Board of Trustees of the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institute, the inventor shares in any net proceeds resulting from the sale or exploitation of patents obtained on the invention.

QUEENS COLLEGE

Flushing 67, New York

Formalized research and patent policy, adopted 17 June 1957 by the Board of Higher Education of the City of New York and incorporated in a statement of principles regarding the acceptance of grants for research; applicable not only to Queens College but also to all the colleges under the jurisdiction of the Board, which together constitute the City University of New York (see The City College on page 173 above for policy statement).

No patent management agency, except that the Board of Higher Education will assist in applications for patents; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the extent to which an inventor shall participate in income from the sale or exploitation of patents on his inventions is determined cooperatively by the Board and the inventor.

RENSSELAER POLYTECHNIC INSTITUTE

Troy, New York

Formalized research and patent policy, adopted 25 September 1954 and amended 8 March 1957 by the Board of Trustees of the Institute, superseding the original policy adopted 2 February 1952; sponsored research is coordinated by a Research Division; applicable on an institute-wide basis:

I. The Director of the Research Division shall administer this patent policy, with the advice and counsel of the Dean of Faculty and a Committee on Discoveries and Inventions appointed by the Dean of the Faculty.

II. All inventions and discoveries made by an employee of the Institute shall be promptly disclosed to the Director of the Research Division in a clear and detailed manner.

III. All inventions and discoveries made by an employee of the Institute are the property of the Institute except wherein, after consideration of the facts, it is determined that:

1. the inventions or discoveries were made on the employee's own time (defined to include consulting time), and without substantial use of the materials or the facilities of the Institute, and

2. the inventions or discoveries were not derived from a specific research activity of the Institute.

In the above-mentioned exceptions, the Institute shall relinquish all claims to the invention and the inventor will be promptly notified in writing of this action. Such inventions or discoveries cannot be associated with the name of the Institute for publicity or exploitation, or for any other purpose, without the written consent of the President of the Institute.

IV. An employee of the Institute, shall sign an assignment of patent rights to the Institute in accordance with the "Patent Assignment Agreement" attached. Benefits to the Institute arising from such assignment will be shared with the inventor in accordance with Article IX of this Patent Policy.

Full patent rights may be assigned by the Institute to other parties. The inventor shall be called upon for advice and counsel on all negotiations pertaining to the exploitation of his invention.

V. All patents assigned to the Institute are the sole property of the Institute, or its assignee. In general, the Institute may issue nonexclusive licenses. In special cases, an exclusive license may be given, subject to a suitable cancellation clause. The Institute shall reserve the right in all license agreements to cancel such licenses under a suitable cancellation or renewal clause.

The Institute, at its option, will make the patentable material available to potential users (1) on its own initiative or (2) by utilizing the services of third parties.

VI. If after consideration of the disclosure and the contributing factors the Institute does not choose to file a patent application, the inventor will be promptly notified in writing of this fact and be released from his obligation to assign the invention to the Institute. The employee may then file as an individual, and the name of the Institute must not be associated with the inventor or the discovery, except with approval of the President, as in Article III.

VII. The Institute may decide, upon competent advice, to abandon a patent prosecution, and in such case the inventor will be promptly notified in writing and all rights revert to the inventor.

VIII. The Institute shall assume all expenses of obtaining patents for inventions assigned to it, enforcing them, licensing, etc., and shall maintain accurate financial records of each and every patent.

IX. The amount paid annually to the inventor (or his heirs, beneficiaries or assignees) will be 12% of the yearly gross income accruing to the Institute through the licensing or other disposition of the invention.

Co-inventors will share the amount that would accrue to a sole inventor in accordance with following determinations:

1. the persons, if any, who are to be identified as co-inventors,
2. the respective percentage of the amount accruing to the co-inventors that will be received by each.

The inventor shall have the right to publish the results of the investigations leading to his invention (s) after contractual obligations have been met and/or sufficient time has elapsed to permit the filing of a patent application, unless national security consideration prohibits such publication or renders publication unwise.

Patent management agency: Research Corporation under a patent development agreement with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor or co-inventors receive not to exceed 15% of the gross income derived from the sale or exploitation of patents obtained on the invention, the amount determined by the Institute in each individual case.

ROCHESTER INSTITUTE OF TECHNOLOGY

Rochester 8, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis and ordinarily patent rights in inventions made by employees of the Institute are retained by the inventors except as they are engaged in formal research projects for the Institute. No patent management agency other than the Vice President for Business and Finance.

THE ROCKEFELLER INSTITUTE

New York 21, New York

No formalized research or patent policy; as a general practice, in accordance with the governing rule set by the Board of Trustees of the Institute, any invention or discovery made at the Institute is the property of the Institute, except those resulting from government-sponsored research which are handled in accordance with the terms of the research contract. No patent management agency other than the Board of Trustees of the Institute.

ST. BONAVENTURE UNIVERSITY

St. Bonaventure, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis, subject to the approval of the University Board of Research. No patent management agency.

ST. JOHN FISHER COLLEGE

Rochester 18, New York

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, except that the research should not violate the moral principles of the church. No patent management agency.

ST. JOHN'S UNIVERSITY

Jamaica 32, New York

Formalized research and patent policy, adopted 1 April 1952 by the Board of Trustees of the University and included in the employment agreement signed by all members of the faculty and staff at the time of their employment; applicable on a university-wide basis:

> All patentable inventions, discoveries, processes, uses, products or combinations, resulting in whole or in part from the use of the laboratories and other facilities of the University, shall be assigned to the University or to some party designated by the University, which shall endeavor with reasonable diligence to secure the necessary patents and to use its efforts to introduce such inventions, patent applications and patents into public use and to secure a reasonable revenue therefrom by issuing licenses thereunder or otherwise. It is further agreed and understood that 15% of the revenue derived from the sale or licensing of such inventions, patent applications or patents shall be payable to such inventor, his heirs, assigns and personal representatives not later than March 15 of each year by the University or other assignee.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of the invention.

SIENA COLLEGE

Loudonville, New York

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

STATE UNIVERSITY OF NEW YORK

Albany 1, New York

Formalized research and patent policy, originally adopted 17 November 1952 and revised 10 September 1959 by the Board of Trustees of the University; separately budgeted faculty research activities at the state operated units of the University are the administrative responsibility of the presidents of the individual units; applicable to the state-operated units of the University, which consists of the two colleges of medicine and medical centers at Brooklyn and Syracuse, the eleven colleges of education at Albany, Brockport, Buffalo, Cortland, Fredonia, Geneseo, New Paltz, Oneonta, Oswego, Plattsburg and Potsdam, the six agricultural colleges and technical institutes at Alfred, Canton, Cobleskill, Delhi, Farmingdale and Morrisville, Harpur College at Endicott, the College of Forestry at Syracuse, the Maritime College at Fort Schuyler and the Long Island Center at Oyster Bay, including sponsored research administered by the Research Foundation of State University of New York, a separately incorporated nonprofit organization established 16 February 1951:

> State University recognizes that the purpose of University research is to seek new knowledge for the general benefit and not to make inventions for profit. It will not, therefore, permit its research programs to be directed intentionally toward

inventions for which patents might be obtained. It is also recognized, however, that in relatively rare instances a patentable discovery may be made in the course of University research. In such cases it is deemed to be generally in the best interests of State University and of the public that patents should be obtained and administered as hereinafter provided in order that such inventions may be usefully developed and the net proceeds may be devoted to support of the University's research programs. The State University Trustees reserve the right, however, to determine by special action in any such case that it would not be in the best interests of State University or the public to obtain a patent for a particular invention and to publish such discovery without patenting it. Questions as to patentability and patenting shall not be allowed to delay prompt publication of the results of University research but all concerned shall cooperate to the end that any patent application shall be timely made.

All patentable inventions made by persons employed by State University at any of its state-operated institutions in the course of research programs or projects being carried on by such institutions or made by persons in the course of working on such programs or projects under contracts or arrangements with State University shall belong to State University and the inventor or inventors shall make application for patents thereon as directed by State University and shall assign such applications or any patents resulting therefrom to or as directed by State University. Any such inventions made by such University employees or such other persons in the course of their employment by or for the University or with the use of facilities owned by the University or made available to it for research purposes shall be deemed to have been made in the course of a research program or project of the state-operated institution of the University concerned.

However, a discovery made by an individual wholly on his own time and without the use of such University facilities shall belong to the individual even though it falls within the field of competence relating to his University position. Where any question is raised as to ownership of an invention or patent under these provisions, the matter shall be referred to a committee of five members to be named by the President of State University. At least three of such members shall be members of the academic staff of the University. Such committee shall make a careful investigation of the circumstances under which the invention was made and shall transmit its findings and conclusions to the President for review. If the committee determines that the invention has been made without the use of University facilities and not in the course of the inventor's employment by or for the University and the President concurs in such determination, the University will assert no claim to the invention or to any patent obtained thereon.

With respect to any patent obtained by or through the University or assigned to or as directed by it in accordance with the foregoing provisions, the University, in recognition of the meritorious services of the inventor and in consideration of his agreement that the invention shall belong to the University, will make provision entitling the inventor and his heirs or legatees to a non-assignable share in any net proceeds from the management and licensing of such patent to the extent of 15% thereof.

The University may make suitable arrangements with a nonprofit patent management agency such as the Research Corporation for the purpose of obtaining services and advice with respect to the patentability of discoveries made in the course of University research, the obtaining of patents thereon and the management and licensing of any such patents. Such arrangements may provide for division of the net income from any patent after payment of the inventor's share between the management agency and the University.

Except as otherwise provided pursuant to this statement of policy, the University will not grant or make provision for granting exclusive rights in any patent obtained by, for or through the University to any person, firm, association or corporation. However, if a patent is obtained upon any invention or discovery resulting from a research program or project to which an industrial sponsor has contributed substantial financial support, such sponsor shall be entitled, under any arrangements made by the University, to a nonexclusive license under such patent without payment of the charges established for such licensing during such period of time as the fees otherwise payable would equal his contribution in support of the research in which the invention was developed.

Research grants made available to the University by or through the Research Foundation of State University of New York shall be subject to the policy herein stated except in special instances as hereinafter provided. Nothing in the policy herein stated shall prevent the acceptance of research grants from, or the conduct of research for, agencies of the United States, either directly or through the Research Foundation, upon terms and conditions under applicable provisions of Federal law or regulations which require a different disposition of patents or patent rights, nor shall anything herein contained prevent cooperative arrangements with other agencies of the State of New York for research. In any case where receipt of a grant in support of research from any nonprofit agency or group may be dependent upon acceptance of terms and conditions of the established patent policy of the donor which differ from those herein stated, the Board of Trustees may specially authorize the acceptance of such grant upon such terms and conditions. Notwithstanding the general policy herein stated, the Board may also, by special action in each such case, authorize express contractual arrangements with an industrial sponsor for different disposition of patent rights resulting from the sponsored research.

Generally the members of the staff of the University shall retain all rights to copyright and publish written works produced by them. However, in cases where persons are employed or directed within the scope of their employment to produce specific work subject to copyright the University shall have the right to publish such work without copyright or to copyright it in its own name. The copyright will also be subject to any contractual arrangements by the University for work in the course of which the writing was done. Staff members will be expected not to allow the privilege to write and retain the right to their work to interfere with their University duties. In those cases where an author desires the help of University facilities, arrangements should be made through the administrative staff of his institution in advance with respect to the assistance which may be appropriately given and the equity of the University in the finished work.

No patent management agency other than the Board of Trustees of the University, who may utilize the facilities of Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the net income derived from the sale or exploitation of any patents obtained on the invention.

SYRACUSE UNIVERSITY

Syracuse 10, New York

Formalized research and patent policy, approved by the University Faculty Senate and adopted 27 May 1960 by the Board of Trustees of the University; sponsored research is coordinated and administered under prescribed procedures by the Syracuse University Research Institute, an unincorporated nonprofit administrative division of the University established 15 December 1946; each faculty member participating in such research is required to execute a patent waiver agreement; patent matters are the responsibility of a University Patent Committee; applicable on a university-wide basis:

I. For faculty engaged in teaching and research not sponsored by an outside agency and/or not performed under a contract between an external agency and the University

(1) Syracuse University recognizes that the creativeness of its faculty may result in ideas, methods, processes and inventions which may be patentable or have potentiality for commercial exploitation.

(2) It further recognizes that such ideas, methods, processes and inventions may be generated by teaching activities or may be by-products of research not sponsored by an outside agency and/or not performed under a contract between some outside agency and the University.

(3) In such cases, unless the University has contributed substantial support to the project generating such a potentially patentable result, the rights of patent application and prosecution and the sale, assignment or other disposition of such patent shall reside in the inventors.

The inventors shall have also the sole right to exploit any such results without patent application, in any manner desired. "Substantial support" is defined under three categories:

(a) Financial support beyond the regular academic or annual salary.

(b) Time support, consisting of paid leave or relief from teaching duties above and beyond that afforded, on the average, to other members of the same department as a standard policy.

(c) Space and equipment support beyond the amounts and types normally made available to other members of the same department for their daily activities.

(4) Inventors producing patentable or commercially valuable ideas, methods, processes or inventions without the substantial support defined in I (3) may refer, at their option, such results to the University Patent Committee for patent prosecution or disposition without patent prosecution, at the Committee's discretion. Each inventor will execute a Patent Agreement and Assignment of Claim if the Patent Committee accepts the application upon disclosure by the inventor. Acceptance or rejection is at the discretion of the Patent Committee. Should the Patent Committee accept the application, financial arrangements with the inventor will be a part of a written agreement with the inventor.

(5) Faculty members receiving substantial support as defined in I (3), shall execute a patent agreement at the time the University makes the commitment for the substantial support.

It shall be the responsibility of the University officer approving the substantial support to obtain this properly executed patent agreement and to transmit it to the Chairman of the Patent Committee. Responsibility for further action shall reside with the Chairman of the Patent Committee.

II. For faculty engaged in teaching and research sponsored by an outside agency and/or performed under a contract between an external agency and the University, when such contract or agreement of sponsorship has no stipulations regarding inventions or patents

In all such cases, for the reasons stated in the supporting arguments for the general policy, the University shall be assigned all rights of patent and/or commercial exploitation. These cases shall be considered as identical with those in section I (5) and treated as in I (5). In these cases, the Director of the Research Institute shall assume the responsibilities of the University officer mentioned.

III. For faculty engaged in teaching and research sponsored by an outside agency and/or performed under a contract between an external agency and the University, when such contract or agreement of sponsorship grants patent rights to the University with or without fee license and foreign rights reserved for the sponsor

These cases shall be considered identical with those in sections I (5) and II.

IV. For faculty engaged in teaching and research sponsored by an outside agency and/or performed under a contract between an external agency and the University, when such contract or agreement of sponsorship stipulates an outright assignment of all patent rights to the sponsor

These cases shall be considered as identical with those in sections I (5) and II.

V. Rights of Syracuse University as a corporation

(1) The University shall be assigned in advance and specifically for each program or project by the inventors all patent rights and the rights of exploitation without patent prosecution to any potentially patentable idea, method, process or invention developed during the course of teaching and research programs performed under substantial support by the University; written agreements or contracts between external agencies and the University under which the programs are carried out shall be considered as substantial support by the University.

(2) The University, by this assignment, shall have the right to dispose, by accepting contractual stipulations by the external agency, of any potentially patentable idea, method, process, or invention developed during the teaching and research program to which the assignment applies.

(3) The University shall reserve all patent rights in written agreements and contracts for teaching and research made with private associations and foundations, granting upon request free, nonexclusive, irrevocable and nontransferable license to the sponsor.

(4) In all written agreements and contracts with government agencies, both state and federal, the University shall reserve all patent rights not reserved to the government agency by public law.

(5) In all written agreements and contracts with business and industrial organizations, the University shall offer to the second party a choice of two options.

(a) The second party shall be granted an irrevocable, nonexclusive and nontransferable free license, without guarantee of protection or indemnity, to make use and sell any invention arising from the teaching and/or research covered by the contractual agreement and patented by the University. While all costs of obtaining the patent will be borne by the University, it shall be part of the agreement that the University is not under any obligation to prosecute any patent application. If the University does not make patent application within six months after making a written disclosure to the second party or receiving a written notice from the second party that an idea, process, method or invention developed during the program is patentable in the opinion of the second party, the University shall transfer patent rights to the second party upon request and furnish him with all necessary documentation to prosecute the patent. In that event all expenses incident to such prosecution shall be borne by the second party. The University shall be granted the same license originally guaranteed to the second party.

(b) The second party shall be granted an exclusive license, revocable under specific conditions and without guarantee or protection or indemnity, to make, use or sell any invention arising from the teaching and/or research covered by the contractual agreement and patented by the University. It shall be part of the agreement that the University is not under any obligation to prosecute any patent application on such invention.

If the University does apply for a patent within the time limits as described in 5 (a), the University shall bear the entire cost of patent application and prosecution.

In return for sole license, the second party shall pay money to the University, under a separate, written agreement incorporating some formula, such as one of the following:

(1) Outright lump sum for a definite time period or until the license is revoked within the period.

(2) Percentage of factory net sales.

(3) Royalties on some base other than (2).

No patent management agency other than the Assistant Director of the Syracuse University Research Institute, subject to the approval of the Director of the Institute and the Vice President of the University for Administration and Research, but a patent development agreement is currently being negotiated with Research Corporation; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University and is not otherwise subject to the terms of a research contract, the inventor is compensated from the net income derived from the sale or exploitation of any patents obtained on the invention as determined by mutual agreement recommended by the Patent Committee.

UNION COLLEGE

Schenectady 8, New York

No formalized research or patent policy, although under discussion at various times, both at the College and at the Albany Medical College, which is embraced with the College in the Union University system; as a general practice, each case is handled individually on its merits, with the inventor usually retaining the entire patent rights on his invention except that with respect to sponsored research the provisions of the research contract are observed.

Patent management agency: Research Corporation for the College under a patent development agreement with the College; a similar agreement for Albany Medical College is currently under consideration; as indicated above, the equities of inventors in their inventions are recognized and at present the College obtains no financial return from patents on such inventions.

UNIVERSITY OF BUFFALO

Buffalo 14, New York

The University will cease to exist as a separate entity after 1 September 1962, when it will become State University of New York at Buffalo, a completely integrated unit of State University of New York, and subject to the latter's formalized

204

research and patent policy (see page 191 above for policy statement), which will be applicable on a university-wide basis.

Patent management agency: Research Corporation under an already existing patent development agreement with the University of Buffalo; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the net income derived by the University from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF ROCHESTER

Rochester 20, New York

No formalized research or patent policy, but the formulation of such a policy is currently under development; sponsored research is administratively coordinated through an Office of Research Administration and faculty members engaged in such research are required to execute a patent waiver agreement; as a general practice, applicable on a university-wide basis to both faculty and students, the University at present observes the following plan, as published in June 1949 in the Annual Reports of the President and Trustees of the University:

> Inventions or discoveries arising out of programs of research which are financed by the University are the property of the University, to be disposed of according to its best judgment. Normally, if such an invention or discovery is patented, it is made available through nonexclusive licenses to all those interested in utilizing it. In some instances, in order to encourage the utilization of an invention or discovery which has resulted in a University-held patent, we have granted an exclusive period of use. In general, this is not considered desirable and every effort is made to avoid exclusivity.
>
> Inventions or discoveries which result substantially from the efforts of an individual staff member or student working on his own time and making only nominal use of the facilities of the University are considered as the property of the individual. On request, and if the administrative officers deem it desirable, the University will undertake to obtain patent and other protection. In such cases the University's judgment as to the method of commercialization must be governing.
>
> Prior arrangements are always made in connection with research work sponsored from outside the University covering the disposition of any resulting discoveries or inventions. Generally speaking, the University reserves the right to publish fully the results of any such work, provided that adequate notice of such publication is given to the sponsor, and also insists that adequate provision be made for safeguarding the public interest in connection with the commercialization of any inventions which may result. This latter has been accomplished by University ownership of patents with a prior agreement with the sponsor granting an exclusive period on a royalty-free basis and by retention of the privilege of issuing nonexclusive licenses after the exclusive period is ended. Alternatively, resulting patents can be owned by the sponsor with the University retaining a nonexclusive license, with the right to sublicense if certain previously agreed upon conditions relating to the public interest are not met.
>
> Inventions or discoveries arising from work done under government contracts which contain the standard patent provisions are governed, of course, initially by those provisions and subsequently, as far as commercial rights are concerned, by the general policy statements described above for inventions or discoveries arising from University programs.

Patent management agencies: Noned Corporation, a separately incorporated nonprofit organization established 4 April 1935 to retain and manage patents in which the University has any rights, and also Research Corporation under a patent development agreement with the University; as indicated in the statement above, the equities of inventors in their inventions are rcognized; when an invention is assigned to the University, consideration is given to the inventor through a share in any royalty income which may accrue to the University; when the invention is assigned to Research Corporation the inventor receives not to exceed 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WELLS COLLEGE

Aurora, New York

No formalized research or patent policy; by action of the Board of Trustees of the College, any patents obtained by anyone associated with the College are the exclusive property of the inventor. No patent management agency.

YESHIVA UNIVERSITY

New York 19, New York

Formalized research and patent policy, originally adopted in February 1955 and subsequently amended from time to time by the Board of Trustees of the University; faculty and staff members by reason of their employment are subject to a standard research agreement containing in essence the following patent waiver provision; applicable to all divisions of the University other than the Albert Einstein College of Medicine which has a separate policy (see page 172 above):

> It is the policy of Yeshiva University to utilize any income to be obtained from inventions and discoveries made by members of the staff thereof exclusively for the further promotion of education and for the other purposes of the said University.
>
> Accordingly, Yeshiva University requires that all inventions and discoveries made by members of its staff shall be assigned to the University.
>
> In cases of patents arising on work under government-sponsored contracts, the express provisions of such contract will control.
>
> The inventor is required to cooperate with the University Faculty Patent Committee who shall be the sole judge of the rights of the inventor and the University with regard to the aforesaid inventions and discoveries, in order to carry out the purposes of this policy.
>
> Yeshiva University may require formal agreements to be signed by individual staff members to carry out the foregoing.

No patent management agency other than the Board of Trustees of the University; as indicated in the research agreement mentioned above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the net income accruing to the University from the sale or exploitation of any patents obtained on the invention.

DUKE UNIVERSITY

Durham, North Carolina

No formalized research or patent policy, although the formulation of such a policy is currently under study by a committee; as a general practice each situation is presently handled on an individual basis, with the general understanding among the faculty that, because of its support or responsibilities in connection with the research, the University has a beneficial interest in any patentable discoveries or inventions resulting from the research, especially those resulting from research conducted under the general supervision of the University Council on Research with funds allocated by that body and from sponsored research administered by the University; faculty and staff members and students of the University engaged in sponsored research are required to execute patent waiver agreements in conformance with research contracts.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a percentage, not to exceed 15%, of the gross income from the sale or exploitation of patents obtained on the invention; under certain circumstances, where it is deemed appropriate, the University will deal directly with an outside organization other than Research Corporation to undertake the management of a patent.

JOHNSON C. SMITH UNIVERSITY

Charlotte, North Carolina

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by the Board of Trustees of the University; at present the University handles each situation on an individual basis. No patent management agency.

SHAW UNIVERSITY

Raleigh, North Carolina

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

UNIVERSITY OF NORTH CAROLINA

Chapel Hill, Raleigh and Greensboro, North Carolina

Formalized research and patent policy, adopted 22 February 1954 by the Board of Trustees of the University of North Carolina; applicable on a university-wide basis to members of the University staff and graduate students or assistants at the University in Chapel Hill, at the North Carolina State College of Agriculture and Engineering in Raleigh and at the Woman's College in Greensboro:

> I. Contract with Research Corporation
>
> The Administration of the University is authorized to enter into a contract with the Research Corporation which will permit each of the three institutions to

refer to that corporation inventions of University staff members, with the agreement that the Research Corporation, upon accepting assignment of the invention, assumes responsibility for filing and prosecuting the application for patent and for licensing and administering the patents.

II. Faculty Patent Committees

The Chancellor of each institution shall appoint a Faculty Patent Committee, consisting of five members.

At the University in Chapel Hill the Committee shall consist of the Business Manager and one representative each from the Division of Health Affairs, the Division of Natural Sciences, the Division of Humanities and the Division of Social Sciences, to be appointed by the Chancellor with the final approval of the President.

At State College in Raleigh the Committee shall consist of the Business Manager, the Director of Engineering Research, the Director of Agricultural Research, the Director of Textile Research (or a representative of each of these directors of research) and at least one other member of the faculty, to be appointed by the Chancellor with the final approval of the President.

At the Woman's College in Greensboro the Committee shall consist of the Business Manager and four members of the faculty to be appointed by the Chancellor with the approval of the President.

These three committees shall meet as an all-University Committee to assure uniform adherence to the Trustees' patent policies and procedures as prescribed in this resolution. The meetings of the 15-man Committee shall be at the call of the Provost of the University and he shall serve as its chairman.

III. Procedure

When a member of the University staff has made an invention or discovery as a result of work done on University time or utilizing University facilities or materials it shall be his responsibility to discuss this discovery or invention with the head of his department at which time the possibility or desirability of exploring patent opportunities will be considered. If it is a matter which it appears should be considered for purposes of patenting, the department head will transmit through the director of research or dean of his school to the Business Manager a request that the matter be considered by the Faculty Patent Committee. The faculty committee will review all pertinent facts presented and may wish to obtain advice from the Research Corporation relative to the patent possibility of the discovery or invention concerned. If in the opinion of the faculty committee and/or the Research Corporation the discovery or invention is not one in which the University has an interest, it may be returned to the inventor who is then free to dispose of it as he sees fit. If in the opinion of the faculty committee and the Research Corporation the invention is one in which the University has a definite interest and which in their judgment merits application for patent, the inventor will be requested to make an assignment of the invention to the Research Corporation which will in turn take the responsibility of preparing and filing an application for prosecuting this patent until issued. The administration and licensing of the patent when granted will also be handled by the Research Corporation under the provision outlined herein.

If the Faculty Patent Committee fails to take action on a proposal for patent application submitted by the above procedure within a period of six months after receiving such a proposal, including all the information needed by the committee for taking such action, the inventor shall be free to dispose of the proposal as he sees fit.

IV. Government sponsored projects—special provisions

Patents arising in the course of Government-sponsored contracts are controlled by the terms of those contracts. Usually the Government will receive a royalty-free, irrevocable, nonexclusive license on such patents. Staff members conducting research on such contracts will be expected to execute such waivers or agreements as will permit the University to comply with its obligations to the Government.

V. Provisions with reference to graduate students or assistants

The same obligations relative to patent assignments on inventions whose development involves the use of University time or facilities shall apply to graduate students or assistants as they apply to regular full-time staff members.

VI. Copyrights

As a general rule, all rights to copyrightable material shall be reserved by the author. The distribution of royalties, if any, is a matter of arrangement between the author and his publishers or licensees. Exception to this rule may be made in case of specific contracts providing for an exception in cases where the University may employ personnel for the purpose of producing a specific work.

VII. Use of income from patents

The inventor shall receive a proportion of the gross royalties derived from licensing of a patent to be determined by agreement and specified in the agreement assigning the patent application to the Research Corporation. Ordinarily this will be approximately 15% of the gross royalties. Income accruing to the institution from the licensing of patents shall be placed in a special Research Fund and shall be expended to support research (generally in the major divisions of the institutions responsible for the inventions yielding the income) subject to the recommendations of the Chancellor and the President and with the final approval of the Board of Trustees.

VIII. Inventions made on personal time and without use of University facilities

As a general rule, the University makes no claim to rights with respect to inventions or discoveries made by its staff members entirely on their personal time or not involving the use of University facilities or material. However, when a member of the University staff has made an invention or discovery on his own time or without the use of University facilities or materials, it shall be his responsibility to clear his rights to the invention or discovery, through the head of his department, the Director of Research or Dean of his School, with the Faculty Patent Committee and the Research Council.

If the inventor so desires, inventions or discoveries made on a staff member's personal time and utilizing his own facilities and materials may be assigned to the Research Corporation for administration on behalf of the University. Under this arrangement, the procedures will be the same as described in Section III herein, pertaining to inventions or discoveries made by a member of the University staff on University time and with the use of University facilities and materials.

IX. Inventions made by personnel not associated with the University

Persons not associated with the University may come to the University with a patentable item which may be to the benefit of the public but which needs further development and refinement before its advantages may be fully realized. Where such inventions fit into the research program of the institution and where personnel of the institution, upon administrative approval, become associated with its continued development, they may be assigned to the Research Corporation. The procedure will be the same as for work done by the staff and on Uni-

> versity time; however, the division of royalties shall be in accordance with an agreement made with the original inventor at the time of assignments.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention in which the University has an interest is assigned to Research Corporation, the inventor receives a proportion (ordinarily 15%) of the gross income derived from the sale or exploitation of patents obtained on the invention.

WAKE FOREST COLLEGE

Winston-Salem, North Carolina

No formalized research or patent policy, although consideration is currently being given to the formulation of such a policy; as a general practice each situation is at present handled on an individual basis and, with respect to patentable results of research performed at the Bowman Gray School of Medicine, a separate division of the College, special consideration is given to the advisability of obtaining patents and, if so, to administering the necessary control of manufacture, distribution and price, to protect both public and institutional interests. No patent management agency other than the Board of Trustees of the College.

North Dakota

NORTH DAKOTA STATE UNIVERSITY

Fargo, North Dakota

Formalized research and patent policy, enacted 11 March 1961 by the Legislative Assembly of the State of North Dakota for all state institutions of higher learning, including North Dakota State University; applicable on a university-wide basis:

> 1. Patenting inventions and discoveries by faculty, officials and employees of state institutions of higher learning. All letters patent on inventions or discoveries resulting from research sponsored by a state institution of higher learning and conducted by faculty, officials or employees of a state institution of higher learning shall inure to and be taken out by or assigned to the respective state institution of higher learning in accordance with a general policy established by each institution of higher learning with the approval of the state board of higher education. Ownership, control, management and disposal of such inventions or discoveries by faculty, officials or employees of each institution of higher learning shall be vested in each respective institution or in an independent foundation created by the institution for the purpose of obtaining patents or inventions, receiving gifts, administering or disposing of such patents and promoting research at the respective institution by every proper means.
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> 2. Sharing of income from patents with inventor or discoverer. Each faculty member, official or employee of a state institution of higher learning who conceives any inventions or makes any discovery as a result of research sponsored by his respective institution shall be entitled to share in any net proceeds that may be derived from the assignment, grant, license or other disposal of such invention or discovery. The amount of such net proceeds shall be computed by or with the approval of the state board of higher education, with reasonable promptness after collection thereof and after deducting from gross proceeds such costs and expenses as may be reasonably allocated to the particular invention or discovery. The

> amount of the net proceeds paid to the faculty member, official or employee of the institution shall be determined by the institution as a general policy determination with the approval of the state board of higher education. A minimum of 15% of the net proceeds shall be paid to a faculty member, official or employee of a state institution of higher learning who solely conceived or made the invention or discovery, and shall be paid in shares to two or more faculty members, officials or employees who jointly made the invention or discovery in such respective proportions as each institution may determine.
>
> 3. Disclaimer by state institutions of higher learning of inventions and discoveries by faculty, officials and employees. Where it is deemed inexpedient for a state institution of higher learning, or its authorized agency, to hold letters patent on an invention or discovery of a faculty member, official or employee, it will then be permissible for the staff member himself to secure a patent and to license or dispose of the same.
>
> 4. Cooperating agencies to have an equity in inventions or discoveries resulting from cooperative research. While the results of experimental work, including patentable discoveries, carried on under the direction of the staff of the state institution of higher learning, belong to the state institution of higher learning and to the public, it is recognized that the party who originates a research problem, brings it to the state institution of higher learning for solution and pays the cost of the research has an equity in the fruits of that investigation; in the case of cooperative investigations, special agreements for preferential licensing may be made with the cooperating interests, with a view to compensating in part for the financial assistance rendered in the investigation. It is recognized, also, that the state institution of higher learning has an obligation to use its facilities to the best interest of industry as a whole and of the general public and should, therefore, employ the most suitable and practical methods to have its laboratory discoveries made available as speedily as possible, safeguarding the public from undue exploitation while recognizing the interest of the originator and supporter of the research.

No patent management agency; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a minimum of 15% of the net proceeds from the sale or exploitation of the invention, the amount to be determined by the University with the approval of the State Board of Education.

UNIVERSITY OF NORTH DAKOTA

Grand Forks, North Dakota

Formalized research and patent policy (see North Dakota State University above for policy statement), enacted 11 March 1961 by the Legislative Assembly of the State of North Dakota for all state institutions of higher learning, including the University of North Dakota, repealing the policy originally adopted 10 March 1937 for the School of Mines of the University by legislative action; applicable on a university-wide basis.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a minimum of 15% of the net proceeds from the sale or exploitation of the invention, the amount to be determined by the University with the approval of the State Board of Higher Education.

ANTIOCH COLLEGE

Yellow Springs, Ohio

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

BOWLING GREEN STATE UNIVERSITY

Bowling Green, Ohio

No formalized research or patent policy, although the formulation of such a policy is under study; as a general practice each situation is at present considered on an individual basis subject to the provisions of the Ohio State Statutes, including sponsored research administered by the Bowling Green State University Foundation, a separately incorporated nonprofit organization established 20 July 1956. No patent management agency other than the Board of Trustees of the University.

CASE INSTITUTE OF TECHNOLOGY

Cleveland 6, Ohio

Formalized research and patent policy, adopted 1 November 1953 by the Board of Trustees of the Institute; all research at the Institute is coordinated under a Director of Research Administration; all inventions resulting from research supported by the Case Research Fund or conducted under contract with government or industry are subject to the terms of an invention agreement which all staff members and students assigned to work on such research are required to execute; applicable on an institute-wide basis to both staff members and students of the Institute:

> 1. Inventions, patents and copyrights produced solely by a member of the staff or by a student, who has received no financial support or significant special equipment from Institute-administered funds (such as the present Research Fund or funds from third parties) for the work that results in the patent, shall be the exclusive property of the individual producing the invention or patent. Payment of salary for normal academic work, including graduate fellowships, or provision of normal academic environment can not be claimed as grounds for equity by the Institute in such inventions, patents and copyrights.
>
> 2. Except as provided in paragraph 1, all inventions, patents and other developments by staff and students resulting from any research sponsored wholly or in part by Institute-administered funds, including funds from third parties, shall become the property of the Institute under the terms of the Invention Agreement. The Institute shall require all staff members and students working on research supported by Institute-administered funds to sign this invention agreement.
>
> 3. Any staff member or student who produces copyrightable material as a result of sponsored research may retain any rights remaining after the contractual obligations of the Institute to sponsor are fulfilled unless otherwise specified by a special agreement between the staff member or student and the Institute.

Special cases arising, which are not covered by the above statements or which arise due to conflict of interest under statements 1 or 2 or otherwise, shall be resolved by a Faculty Patent Committee, appointed each year by the Faculty Council with the approval of the President.

Patent management agency: Research Corporation under a patent development agreement with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on the invention.

CENTRAL STATE COLLEGE

Wilberforce, Ohio

Formalized research and patent policy, originally adopted and revised, effective 26 October 1961, by the Ohio State Legislature and incorporated in the Ohio State Statutes (see Ohio State University on page 208 below for policy statement); applicable on a college-wide basis to faculty members, employees and students of the College, including sponsored research arrangements for which are made through a faculty Committee on Research.

No patent management agency other than the Board of Trustees of the College; subject to the provisions of the Ohio State Statutes, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor may receive a share of the income derived from the sale or exploitation of patents obtained on the invention, as determined by the Board of Trustees of the College.

COLLEGE OF WOOSTER

Wooster, Ohio

No formalized research or patent policy; as a general practice, each situation is handled on an individual basis. No patent management agency, but the College would probably utilize the facilities of Research Corporation under a patent development agreement which would recognize the equities of the inventors in their inventions.

FENN COLLEGE

Cleveland 15, Ohio

No formalized research or patent policy; as a general practice each situation is considered on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized and, as provided under the patent development agreement with Research Corporation, the inventor receives 7% of the gross income received from the sale or exploitation of patents obtained on his invention.

FINDLAY COLLEGE

Findlay, Ohio

Formalized research and patent policy, adopted 1 June 1961 by the Board of Trustees of the College; applicable on a college-wide basis:

> Faculty rights concerning individual research and benefits derived from patents. All benefits derived from individual work by members of the faculty on personal time and at personal expense shall accrue solely to the faculty member concerned. The same policy applies to contracts between individual members of the faculty and foundations, subject to approval of the President. All benefits derived from research and investigation supported financially by the College shall accrue jointly to the College and the faculty member concerned.

No patent management agency other than the Board of Trustees of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized.

HEIDELBERG COLLEGE

Tiffin, Ohio

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

HIRAM COLLEGE

Hiram, Ohio

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a committee of the Board of Trustees of the College; at present the College observes a laissez-faire attitude. No patent management agency.

JOHN CARROLL UNIVERSITY

Cleveland 18, Ohio

No formalized research or patent policy; as a general practice all research at the University is administered by a Committee on Research, subject to approval by the executive dean of the University. No patent management agency other than the administration of the University; the equities of inventors in their inventions are recognized and, under mutual agreement, the inventor receives a specified share of any income received from the sale or exploitation of patents obtained on his invention.

KENT STATE UNIVERSITY

Kent, Ohio

Formalized research and patent policy, adopted 12 January 1962 by the Board of Trustees of the University; applicable on a university-wide basis:

> 1. The disposition and control of patentable inventions resulting from research sponsored externally shall be arranged in the original agreements made with

the sponsor. These arrangements shall be in the University interest so far as possible, with particular reference to the undesirability of restriction on publication, although it is not unreasonable to provide for some deferment of publication to facilitate potential patent process by the sponsor.

2. The principle is recognized that patentable inventions resulting from work having the expense thereof paid from University funds or from funds under the control of the University belong to the University and to the public and should be controlled in ways to produce the greatest benefit to both.

3. There shall be a Patent Board consisting of the Vice President for Academic Affairs, the Dean of the Graduate School, the Treasurer and three others appointed by the President. This board shall study and recommend to the President what patents should be assigned to the University, equitable adjudication of uncertain cases, the merits of protecting potentially patentable projects and similar matters arising under these regulations.

4. Any member of the University staff making a patentable discovery while on specific research time assignment or while using University facilities shall notify the President of the discovery.

5. The President will then notify the Patent Board which, after examining the merits of the project and the equities involved, will report back with a recommendation that the University proceed to exercise its right to have a patent assigned to it or that it renounce interest, thereby leaving the matter to the disposition of the inventor. The board may recommend that, if a patent is issued and assigned, the inventor may receive up to twenty per cent of future royalties. The staff member may appeal to the President from these recommendations.

6. An acceptance by the University of a patent assignment, together with other essential arrangements, becomes binding only after approval by the Board of Trustees.

7. If the University decides to exercise its equity, the staff member is expected to cooperate in prosecution of a patent application, to disclose essential information, to execute necessary documents and otherwise to assist in the application and to assign any eventual patent to the University, with all expenses borne by the University.

8. Faculty members may voluntarily propose assignment of potential patents to the University where the discovery is not covered by the foregoing regulations.

9. If the discoverer does not receive announcement of University intent within ninety days following his disclosure to the President, he is free to proceed as he wishes.

10. To facilitate patent applications and management, the President is authorized to secure the services of a suitable patent management agency.

11. Nothing in the foregoing shall be interpreted to expect University interest in discoveries made without use of University facilities or fund support.

12. In accordance with the custom established in institutions of higher learning, the University has no interest in copyright ownership of faculty publication or in royalties therefrom except (1) when the book or other manuscript is prepared under commission by the University, in which case it is the property of the University; or (2) when University funds or funds controlled by the University are specifically allocated to support a particular scholarly activity which results in a financially profitable publication, in which case it is expected that the author will arrange with the Patent Board for reimbursement to the supporting fund (s) in the amount allocated.

No patent management agency, although consideration is currently being given to entering into a patent development agreement with Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor may receive not to exceed 20% of the gross income received from the sale or exploitation of the invention, as recommended by the Patent Board.

KENYON COLLEGE
Gambier, Ohio

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

MARIETTA COLLEGE
Marietta, Ohio

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

MIAMI UNIVERSITY
Oxford, Ohio

No formalized research or patent policy, although the formulation of such a policy is currently under study by a faculty committee and the Board of Trustees of the University; as a general practice the University at present observes a laissez-faire attitude, leaving to the faculty member responsibility for handling each situation on an individual basis. No patent management agency.

MUSKINGUM COLLEGE
New Concord, Ohio

No formalized research or patent policy; as a general practice, each situation is considered on an individual basis. No patent management agency.

OHIO NORTHERN UNIVERSITY
Ada, Ohio

No formalized research or patent policy, although such a policy is currently in process of formulation; at present the University observes a laissez-faire attitude. Patent management agency: the Ohio Northern University Foundation, a separately incorporated nonprofit organization established 12 September 1953; the equities of inventors in their inventions are recognized and, in accordance with a mutual agreement made at the time an invention is assigned to the Foundation, the inventor shares in any income derived from the sale or exploitation of patents obtained on the invention.

OHIO STATE UNIVERSITY
Columbus 10, Ohio

Formalized research and patent policy originally adopted 26 May 1943 and revised, effective 26 October 1961, by the Ohio State Legislature and incorporated in the Ohio State Statutes; applicable on a university-wide basis to faculty members, employees and students of the University, including sponsored research which is administratively centralized under the Ohio State University Research Foundation, a separately incorporated nonprofit organization established 2 November 1936:

> All rights to and interests in discoveries or inventions, including patents thereon, which result from research or investigation conducted in any experiment station, bureau, laboratory or research facility of any state college or university shall be the sole property of such college or university. No person, firm, association, corporation or governmental agency which uses the facilities of such college or university in connection with such research or investigation and no faculty member, employee or student of such college or university participating in or making such discoveries or inventions shall have any rights to or interests in such discoveries or inventions, including income therefrom, except as may, by determination of the board of trustees of such college or university, be assigned, licensed, transferred or paid to such persons or entities.
>
> As may be determined from time to time by the board of trustees of any state college or university, the college or university may retain, assign, license, transfer, sell or otherwise dispose of, in whole or in part and upon such terms as the board of trustees may direct, any and all rights to, interests in or income from any such discoveries, inventions or patents which the college or university owns or may acquire. Such dispositions may be to any individual, firm, association, corporation or governmental agency or to any faculty member, employee or student of the college or university, as the board of trustees may direct. Any and all income or proceeds derived or retained from such dispositions shall be applied to the general or special use of the college or university, as determined by the board of trustees of such college or university.

As a general practice each situation is considered on an individual basis, using the facilities of the Ohio State University Research Foundation; sponsored research is also handled through the Foundation and is governed by the terms of the research contract; in the field of medical research the University seeks to disseminate the results of such work in the widest possible way for the greatest public benefit and does not apply for patents, except in those special cases in which the medical profession feels that it is necessary for the protection or the welfare of the public.

Patent management agency: the Ohio State University Research Foundation; subject to the provisions of the Ohio State Statutes, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor may receive a share of the income derived from the sale or exploitation of patents obtained on the invention, as determined by the Board of Trustees of the University.

OHIO UNIVERSITY

Athens, Ohio

No formalized research or patent policy; as a general practice each situation is handled on an individual basis, except with respect to research sponsored by a government agency which is governed by the following policy, adopted 17 April 1962 by the Board of Trustees of the University:

> The President of Ohio University is authorized by the Board of Trustees to

> assign, license or transfer to any government agency furnishing funds for research any discoveries or inventions, including patent rights thereon, resulting from investigation or research supported in whole or in part by the said government agencies, providing the President finds it advisable to assign these patent rights in order to obtain the contract.

Patent management agency: Research Corporation under a patent development agreement in which the equities of the inventors in their inventions are recognized; when an invention is assigned to Research Corporation, the inventor receives 7% of the gross income received from the sale or exploitation of patents obtained on the invention, as specified in the agreement.

OHIO WESLEYAN UNIVERSITY

Delaware, Ohio

No formalized research or patent policy, although the formulation of such a policy is contemplated; at present each situation is handled on an individual basis. No patent management agency.

UNIVERSITY OF AKRON

Akron 4, Ohio

Formalized research and patent policy, developed by a faculty committee appointed by the President of the University, approved on 15 January 1953 by the University Academic Legislative Council and adopted on 18 February 1953 by the Board of Directors of the University; applicable on a university-wide basis, including sponsored research conducted through the Institute of Rubber Research, an unincorporated division of the University established in March 1956 to provide a basic research center in polymer science:

> It is the policy of the University of Akron, with reference to all creative endeavors of its staff members and students conducted on its time or with its facilities, to recognize the interests of the University, the staff member, student, sponsor and other cooperating or participating agencies. However, the Board of Directors of the University must and does reserve the right to administer such equities consistent with the public interest as determined by said Board from time to time.
>
> Results obtained through research and scientific investigation approved, sponsored or conducted as a University project, including graduate and undergraduate theses, shall not be published without the authorization of the President of the University or his designee.
>
> Inasmuch as the primary obligation of a full-time faculty member is to the University, he should hold paramount in arranging outside appointments the duty of maintaining the quality of his work, avoiding the danger of overtaxing his energies with an undue burden of outside activity, and adhering to instructional schedules and other definite college engagements.
>
> The following general conditions and restrictions will be observed for the best interests of all parties concerned:
>
> > Research will be the type of work which will enhance the reputation of the University and the faculty.
> >
> > Research will be restricted to the type of work for which the University can provide adequate staff and facilities.

A staff member receiving extra compensation from the University for supervising a project will not receive further compensation from the supporting company for supervising that same project.

The general principle will be observed that the University does not pay salary or wages for work done by a candidate for academic credit leading to a degree. This rule shall not be interpreted to apply against bona fide students pursuing degree programs with the assistance of University grants-in-aid, scholarships or fellowships.

There shall be a director or coordinator of research appointed by the President with the following duties: (1) supervision of all contract research undertaken and (2) assistance to the President in procurement of new contracts.

Faculty members who have projects in mind shall consult the director and the approach to industry of government shall be made by the director or by someone authorized by the director.

All contracts shall be approved by the director and by the President of the University before any work thereunder is begun or any commitments are made.

There shall be an advisory committee consisting of four faculty members to advise the director.

A faculty member shall have the right to accept or decline participation in any contract research made available to him.

No additional compensation will be permitted for a person engaged in contract research during the academic year (ten months September to June, inclusive) except for limited amounts of work in addition to the full teaching load.

If the faculty member does contract research during the summer months, he shall be paid for the time so spent at the same monthly rate as in the academic year.

If contract research is a full-time job, the individual shall receive his regular salary. If the fee more than covers the cost of the research, additional compensation above regular salary may be provided.

A plan for graduate assistantships should be put into effect to facilitate contract research whenever such research becomes available.

The faculty member shall obtain authorization to undertake privately sponsored research for profit in which University facilities are used from the head of his department and approval from the dean of his college.

A written statement setting forth the nature of the research and the time the faculty member proposes to devote to the problem shall be supplied by the faculty member to the head of the department and to the dean.

The faculty member shall perform the research on his own time.

The research undertaken shall not interfere with the normal use of University facilities by students and the instructional staff of the University.

All expendable materials used in the research shall be supplied by the contracting agency or by the faculty member. In no case will materials belonging to the University be used without compensation therefor at current rates.

When privately sponsored research is carried out on campus, facilities provided by public funds are used and it is consequently necessary that the University be fully reimbursed for the use of space, maintenance, utilities and depreciation of any apparatus used. Therefore, the sponsor of such research must agree to reimburse the University in an adequate amount which may run to 50% or more of the amount he agrees to pay the faculty member for his services. The exact fee or percentage will be determined by the extent of the use of the facilities.

> The financial agreement between the faculty member and his sponsor shall be reported to the vice president in charge of finance.
>
> Outside research and consulting activities shall not interfere with the teaching and community responsibilities of any staff member, and it shall be the duty of the department head to note and report to his dean any infraction of this rule on the part of members of his department.
>
> Permission to carry out the project with University facilities may be withdrawn by the dean at any time if the faculty member neglects his normal duties or interferes with the educational use of such facilities.
>
> The research contract should contain written agreements specifying the respective patent rights and copyrights of industry or government, the University and the persons carrying out the research.
>
> Being a public institution, the University of Akron naturally is concerned with safeguarding the public interest. Accordingly, it is the general policy of the University that sponsors of research work done by the University should not receive any patents as a result of this work. However, in research projects financed entirely by outside sources, patent rights may be granted to the sponsors in accordance with the terms of a written agreement. Wherever possible, it shall be the policy of the University that if patent rights are assigned to the sponsors, they shall be required by contract to license others under these patents on the basis of reasonable royalties and terms.

No patent management agency other than the Board of Directors of the University, should it be found necessary, in the public interest, to accept assignment of inventions resulting from research at the University.

UNIVERSITY OF CINCINNATI

Cincinnati 21, Ohio

Formalized research and patent policy, originally adopted in 1938 and subsequently amended by the Board of Directors of the University; sponsored research, with the exception of such research conducted at the University Medical Center, is administratively handled through an Administrator of University Research, who also heads the Research Foundation of the University of Cincinnati, originally established 1 June 1943 as a separately incorporated nonprofit organization but now an unincorporated division of the University; applicable on a university-wide basis to faculty, staff and students:

> (a) The right of absolute ownership by a faculty member or student or other person connected with the teaching and research staffs of the University of his own inventions, discoveries, writings, creations and/or developments, whether or not made while using the regular facilities of the University (as contrasted with those devoted to specific projects as outlined below), and the right of such persons to apply for, hold and dispose of patents, copyrights and other protective rights are recognized as indefeasible except in the event that the invention, discovery, writing, creation or development was made as a direct result of a specific research project sponsored and financed by the University or by agencies outside the University, under a contract with the individual concerned, specifying the abrogation of those rights as to that specific project.
>
> (b) It is suggested that inventors or discoverers of patentable materials, processes or ideas may find it desirable to consult with the Administrator of University Research concerning policies, procedures and terms for the acquisition and exploitation of patent rights under conditions that may be advantageous to themselves and/or to the University.

(c) The policy of the University with respect to inventions, discoveries or developments relating to medicine, therapeutics or hygiene is to discourage the acquisition of patents by faculty members, students or other persons connected with the teaching and research staffs or by any agency of the University, except when the control provided by patent rights appears to be necessary or desirable in relation to the public welfare. Therefore, it is strongly recommended that patentable inventions and discoveries of this type, as well as investigative work that is clearly pointed toward such patentable inventions or discoveries, be brought to the attention of the Dean of the Faculty to which the inventor belongs and by the Dean reported to the administrative authorities of the University, to the end that action, in keeping with the rights and wishes of the inventor and appropriate to the public responsibilities of the University, may be agreed upon. It is understood that such consultation of the inventor with University authorities shall be voluntary in the absence of prior agreement to the contrary and that the right of the inventor to his invention shall not be prejudiced thereby.

(d) The University may invite members of the faculty or students or other persons connected with the teaching and research staffs to give assistance, services, advice, work and/or supervision in connection with research projects supported in whole or part by organizations or individuals outside the University, provided that, in all cases, before assistance, services, advice, work and/or supervision are rendered, a written agreement, on terms mutually satisfactory, has been made.

(e) The space and facilities of the University are provided for the purposes of giving instruction and carrying on scholarly work. Research projects supported by industries or other sponsors, from which it is contemplated that patents, copyrights or other rights beneficial to the supporter and/or the Research Foundation of the University of Cincinnati will result, shall be housed only in such space and shall be entitled only to such facilities as are not needed for instruction or other scholarly work.

(f) Should any faculty member or student or other person connected with the teaching and research staffs of the University wish, for any reason, not to agree to restrict his rights mentioned in paragraph (a) above and/or should not wish to agree to provide the assistance, services, advice, work and/or supervision mentioned in paragraph (d) above, he shall suffer no prejudice in his relations with the University because of his wish not to enter into such agreement or agreements.

(g) No faculty member or student or other person connected with the teaching or research staffs of the University shall use the name of the University for promotional purposes in connection with the ownership or disposal of patents or other such protective rights without first having obtained the written consent of the President of the University. This provision shall not apply to the copyrighting of books and articles for publication.

Patent management agencies: the Research Foundation of the University of Cincinnati and also Research Corporation under a patent development agreement with the Foundation, for both the University and the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, except with respect to inventions, discoveries or developments relating to medicine, therapeutics or hygiene, the patenting of which is discouraged unless the control provided by patent rights appears to be necessary or desirable in relation to the public welfare; when an invention is assigned to the Foundation or to Research Corporation, the inventor usually receives 15% of the net income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF DAYTON

Dayton 9, Ohio

No formalized research or patent policy; as a general practice each situation is considered on an individual basis under administrative direction of the University Research Council; sponsored research is administered by the University of Dayton Research Institute, an unincorporated nonprofit unit of the University established 1 September 1956, and staff members participating in such research are required to execute a patent waiver agreement, assigning their inventions to the University. No patent management agency other than the Board of Trustees of the University.

UNIVERSITY OF TOLEDO

Toledo 6, Ohio

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude, except with respect to sponsored research conducted by or under the Research Foundation of the University of Toledo, a separately incorporated nonprofit organization established 28 February 1946 to integrate the research activities of the University, such research being subject to the terms of the research contracts which usually provide that all patent rights to inventions arising from such research be assigned to the sponsor.

Patent management agency: the Research Foundation of the University of Toledo; equities of inventors in their inventions are recognized, except with respect to research conducted by or under the Research Foundation of the University of Toledo which is covered by the patent waiver agreement required of the faculty members and research fellows engaged in such research.

WITTENBERG UNIVERSITY

Springfield, Ohio

Formalized research and patent policy, adopted 6 September 1932 by the Prudential Committee of the University as a provision of the memorandum of agreement between the University and the members of the Wittenberg Research Institute at the time of the establishment of the Institute as an unincorporated function of the University to render research services to industry and government:

> The cost of securing patents on any articles or processes developed shall be borne upon a 50-50 basis. It is agreed, however, that in the case of an application for any patent, the University shall have the privilege of determining whether or not it will participate in the expenses of securing the patent. If such participation on the part of the University is declined, then the division of ownership in the patent and the participation in profits resulting therefrom shall be 25% to the University and 75% to the staff member or staff members responsible for the development of the patented article or process.

No patent management agency; as a general practice, patent rights are ordinarily left with the inventor and, as indicated in the policy statement above, the inventor retains 75% and the University receives 25% of the net income derived from the sale or exploitation of patents obtained on his invention.

WESTERN RESERVE UNIVERSITY

Cleveland 6, Ohio

Formalized research and patent policy, adopted 12 April 1962 by the Board of Directors of the University after prior approval by the University faculty; applicable on a university-wide basis:

A. Administration

1. A Patent Policy Committee, appointed by the President, acts for and administers the patent policy of the University as regards the University, its faculty, employees, students and sponsors of extramurally supported research. This Committee consists of representatives of the faculty and the administration.

2. When a faculty member, employee or student assigns an invention to the University, the Patent Policy Committee recommends to the President whether to assign it to Research Corporation or to handle it in some other manner. This recommendation then is referred by the President to the Board of Trustees. If the Board of Trustees recommends the assignment of an invention by the University to Research Corporation and it accepts this assignment, then Research Corporation will patent and commercialize the invention without expense to the inventor or to the University and agrees to pay a share of the gross income from the invention to the inventor. The net income from the invention after the payment of the inventor's share and any special expenses in connection with the invention will be shared equally between the University and Research Corporation.

3. The University will allocate its share of net income received from Research Corporation and its share of the net income received from inventions developed by the University, for further research and scholarship by establishing a University Research Fund. This fund will be used for research grants and fellowships within the University. Until further order of the Board of Trustees the grants will be made by a University Research Fund Committee, appointed by the President and consisting of representatives from the faculty and the administration.

4. It is recommended that every faculty member, employee or student who makes an invention refer the invention to the Patent Policy Committee for handling as outlined herein, in the interests of the individual because of the complexities and expenses involved in handling patents and in the interests of the University because of its interest in inventions as described below.

B. Relations between the University and its faculty, employees and students

All faculty members, employees and students, in consideration of their membership in the University community and the approval of this policy by the Board of Trustees and the Faculty of Western Reserve University, agree to handle inventions and patents as follows:

1. Any faculty member, employee or student may assign any invention to the University or may apply for a patent on his own initiative. If an invention is assigned to the University, the inventor agrees to follow its recommendations as to how the invention should be handled and to execute all necessary papers to handle the invention as decided by the University. If an invention is not assigned to the University and a patent is applied for on that invention, a copy of the patent application, when filed, shall be furnished to the University. If necessary, as a substitute for a copy of the patent application, the University may be furnished with a notification of filing and an explanation of the Government security

regulations or other conditions which make the furnishing of a copy of the patent application impossible.

2. When an invention is assigned to the University, it will review the merits of the invention and will decide whether the invention should be referred to Research Corporation or whether other steps should be taken to patent, assign or license the invention. The University may reassign the invention to the inventor to handle on his own initiative, reserving, however, any interest it may have in accordance with this policy as outlined in items 4 and 5 of this section.

3. When an invention is assigned to the University:

   (a) If the invention is reassigned by the University to Research Corporation, the inventor will be paid 15% of the gross income from the invention received by Research Corporation.

   (b) If the invention is handled by the University without reassignment to Research Corporation, the inventor will be paid 15% of the net income from the invention received by the University. In computing net income, only the costs of securing patent protection shall be deducted and the costs of patent management, such as costs of negotiating license agreements, shall not be deducted.

   (c) In either case, if the invention resulted from research which was not substantially supported by University funds or did not principally utilize University facilities, an agreement will be negotiated with the inventor so that he will receive a share of the income in excess of the amounts listed above, but in no case to exceed 40% of the net income, depending on the circumstances of the individual case.

4. When an invention is not assigned to the University by the inventor, the inventor will, upon request by the University, grant to the University a royalty-free nonexclusive license, good for the length of the patent if the invention is patented or for an indefinite period if it is not patented, to use the invention in the University's conduct of research and teaching.

5. When the University and an outside sponsor enter into an agreement for research to be conducted with funds or facilities provided by the sponsor, any individual who utilizes such funds or facilities may be required to enter into a special agreement with the University or with the sponsor as to inventions and the individual will, upon request by the University, grant to the University such interest in any inventions resulting from sponsored research that the University requires to fulfill its commitments to the sponsor.

6. If any dispute should arise between an inventor and the University with respect to the provisions of this policy, the dispute shall be referred for decision to a Board of Arbitration, composed of one representative of the inventor, one representative of the University and a third member to be chosen by the two representatives, or by the American Arbitration Association, if the two representatives cannot agree on a third member within thirty days of their appointment.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a minimum of 15% of the net income derived from the sale or exploitation of any patents obtained on the invention or, if it is reassigned to Research Corporation, 15% of the gross income derived by Research Corporation from such sale or exploitation.

XAVIER UNIVERSITY

Cincinnati 7, Ohio

Formalized research and patent policy, adopted in November 1958 by the Board of Trustees of the University, which is currently under revision by a University Committee on Research and Advanced Study; all research at the University, including sponsored research, is conducted under the administrative direction of the Committee on Research and Advanced Study in accordance with prescribed procedures; applicable on a university-wide basis to all members of the University, including graduate students:

> 1. University research should not have as its objective the commercialization or the patentability of its results; however, new ideas and discoveries inevitably flow from research on a university campus. Some of these are patentable and in the public interest applications for patents should be filed thereon.
>
> 2. If a member of the University, other than those excluded by the nature of their research grant, desires to obtain a patent on his own responsibility, he may do so, whether he has consulted the Committee on Research and Advanced Study or not, but he shall advise the Committee of his intention at the time of his patent application and shall furnish the Committee a copy of the patent when issued. The Committee when advised of his intention may raise the question of whether the University has an equity in the proceeds of the invention because of the use of its facilities. In such event the determination of the character and amount of the University equity in such invention will be settled in conference between the Committee and the member or members of the University concerned. It is expected that the same procedure will be followed in connection with any other question arising out of patent policy.
>
> 3. When a member of the University in the course of his University activities makes a discovery that may lead to an invention, he may consult the Committee on Research and Advanced Study concerning the issuance of a patent, by contacting the chairman or any member of the Committee. If he desires to have the matter handled under regulation 4 below, the Committee will proceed in accordance with that plan.
>
> 4. When the question of patenting a particular invention is brought before the Committee, the Committee will decide upon the advisability of patenting according to the University policy. If the Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the Committee reaches a positive conclusion or is in doubt, it will refer the matter to Research Corporation to ascertain its opinion and whether Research Corporation desires to accept the assignment of the rights to the invention. If Research Corporation is unwilling to accept such assignment, the Committee will release the matter to the inventor. If Research Corporation desires to accept the assignment, the Committee will recommend to the inventor that he assign his rights in the invention to Research Corporation and enter into an agreement with the Corporation in accordance with the general plan adopted by the Corporation and the University.
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> 5. In accepting a grant from industry for the purpose of research, it is the general policy of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not for a specific development in which the sponsor may be interested. If the University accepts a grant from an industrial corporation for the purpose of research in conformity with that general policy, it shall be with the written understanding that, should

> an invention result from this research, the University and the inventor handle the invention in accordance with regulation 4 above.
>
> 6. If an outside sponsor proposes a procedure at variance with that outlined in the previous paragraphs, the University will authorize the Committee on Research and Advanced Study to discuss such alternate procedures with the sponsor and the staff member involved in an effort to arrive at a situation which will not violate the general principles heretofore set forth and which will protect the equity of all parties involved.

No patent management agency other than the Board of Trustees of the University, although consideration is being given to entering into a patent development agreement with Research Corporation.

YOUNGSTOWN UNIVERSTIY

Youngstown 2, Ohio

No formalized research or patent policy; as a general practice all sponsored research is subject to approval by the President of the University or his designated representative and, unless specified otherwise in the research grant or contract, the University reserves all publication and patent rights in the results of the research. No patent management agency other than the Board of Trustees of the University.

Oklahoma

CENTRAL STATE COLLEGE

Edmond 3, Oklahoma

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

OKLAHOMA STATE UNIVERSITY

Stillwater, Oklahoma

Formalized research and patent policy, adopted 6 December 1951 by the Board of Regents of the Oklahoma Agricultural and Mechanical College, of which the University is the legal successor; applicable on a university-wide basis except in those instances where the terms of federal regulations, grants, contracts and similar documents provide otherwise:

> I. Preamble. It shall be the intent of the following patent policy of Oklahoma A. & M. College to give primary consideration to the long range interests of the people of the state. The objective of this patent policy shall be to encourage creative thinking and protect the public, the institution and the individual's interests.
>
> The Oklahoma A. & M. College recognizes its obligation to serve the people of the state. Unless otherwise specified, research and development work carried on at this institution shall be open to the public and the results shall be available for publication. (The statements of this paragraph shall not be interpreted as

conflicting with secrecy requirements of research for agencies of the United States Government.) Where research grants are made to cover the cost of an investigation and where the public interest is considered best served, it shall be permissible to hold the work and the findings confidential for a period of time as specified in the contract for that specific project.

Any funds coming to the College as a result of this patent policy will be used for furthering research and scholarships in the College, the awards to be made by the President, with the understanding that preferential consideration be given to the needs of the particular field of research which gave rise to the patent concerned.

II. Statement of policy. A member of the College shall be free to bring any patentable invention of his to the attention of the Patent Committee for action under section III (2) whether it has resulted from his academic activities or not.

Academic research. 1. When a member of the College in the course of his activities makes an invention, he may consult the Patent Committee about the issuance of a patent, either through the chairman of the Committee or the representative of his division, if there is one on the Committee. If he desires to have the matter handled in accordance with section III (2) below, the Committee shall proceed in accordance with this plan. If these methods of procedure would in any case involve undue delay in the securing of protection, the inventor may file an application on his own responsibility with the Patent Office.

2. If a member of the College desires to obtain a patent on his own responsibility he may do so, whether he has consulted the Patent Committee or not, but he shall furnish to the Patent Committee a copy of the patent application at the time it is filed in the Patent Office. The Committee may raise the question of whether the College has any equity in the proceeds of the invention because of the use of its facilities. It is expected that the determination of the character and the amount of the College's equity in any such invention will be established in conference between the Patent Committee and the member or members of the College concerned. It is expected that the same procedure will be followed in connection with any other question arising out of the patent policy.

Contract research. It is understood also that the statements in this patent policy applying to grants for research made by corporations or individuals shall not be applicable to fellowships made available to the College by corporations. The holders of such fellowships will be under the same regulations as other students of the College.

1. If the College accepts a grant from an industrial corporation for the purpose of research in accordance with the second paragraph of the preamble, it shall be with the written understanding that, should an invention result from this research, the College and the inventor will handle such invention in accordance with section III (2) and with the further understanding that, if an invention is patented in accordance with section III (2), the corporation making the grant will have special consideration.

In case the corporation desires a specific definition of such special consideration the method to be used in establishing such special consideration shall be agreed upon in writing at the time the grant is made.

If such corporation prefers to proceed in a manner other than that of section III (2), the Patent Committee will discuss such proposal with the corporation.

2. The special consideration given to outside sponsors of research projects varies widely from case to case depending upon the particular conditions. However, certain basic requirements include consideration to the inventor for his flash of genius, return to the College and protection of the public interest.

Samples of the variety of provisions which have been or may be made are listed below as an indication:

a. The most liberal case is that in which a grant or contract is received from a sponsor with no limitations whatsoever regarding the disposition of any patent which may result from the work.

b. Next on the scale is a provision that the sponsor will be issued a non-exclusive license under any patents that may result at terms as favorable as may be granted to others, with the additional consideration of payment to the sponsor of a percentage of all royalties received up to a certain maximum amount.

c. Where contracts are received from the Government to support research projects at the College it is the general policy that the College agree to so control the title to inventions made under these contracts that it can guarantee delivery of a license thereto to the Government.

d. The greatest amount of consideration which it is the policy of Oklahoma A. & M. College to grant to any sponsor is to issue to the sponsor a non-exclusive, royalty-free license for all fields and an exclusive, royalty-free license for the general technical field of the project, the exclusivity being generally for a period of two to five years (agreed upon in writing) after which the College reserves the right to issue royalty-bearing licenses to others. This period would depend upon the circumstances and would be discussed between the inventor and the Committee. In view of the fact that employees of Oklahoma A. & M. College are not required to forego all rights in inventions as a consideration of their employment, consideration to such employees who work under contracts with the above provisions is provided for by a fee to the inventor for each invention on which an exclusive royalty-free license is given to the sponsor. As a consideration to the College under such contracts the amount to be paid in lieu of overhead is provided for at a figure somewhat in excess of the actual overhead costs of the College.

III. Procedures for obtaining patent protection; Patent Committee

1. There is a committee known as the Patent Committee appointed by the President and consisting of a representative from each of the following administrative units at least: Agricultural Experiment Station, Research Foundation, Division of Engineering Research and Experiment Station, College of Veterinary Medicine, Office of the Comptroller, College of Business and the College of Home Economics. This Committee administers the policy in consultation with the President.

2. When the question of the patenting of a particular invention is brought to the attention of the Committee, the Committee will decide upon the soundness of the scientific basis of the invention and upon the advisability of patenting according to the College policy. If the Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the decision of the Committee is positive, the Committee shall take the appropriate action to obtain such a patent. A committee may be designated by the President to administer and manage patents assigned to the Oklahoma A. & M. College.

Patent management agencies: under the guidance of the Legal Administrative Assistant to the President of the University, the Agricultural Experiment Station, the Division of Engineering Research and the Research Foundation of Oklahoma State University, a separately incorporated nonprofit organization originally established 2 December 1944 by the Board of Regents of the College and subsequently, on 5 May 1945, authorized by action of the State Legislature to encourage, support and coordinate research at the University, and also Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; when an invention is assigned to Research Corporation, the inventor usually receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SOUTHEASTERN STATE COLLEGE

Durant, Oklahoma

No formalized research or patent policy; as a general practice each situation is handled on an individual basis with the assistance of the Director of Research. No patent management agency.

UNIVERSITY OF OKLAHOMA

Norman, Oklahoma

No formalized research or patent policy; sponsored research projects are handled by the University of Oklahoma Research Institute, a separately incorporated nonprofit organization established 29 March 1941; as a general practice, discoveries and inventions made by staff members while working on such projects are assigned to the Institute, which in turn assigns them to the research sponsors or handles them in accordance with the terms of the research contracts; inventions made in the School of Medicine, located in Oklahoma City, are similarly handled by the Oklahoma Medical Research Foundation, a separately incorporated nonprofit organization established 23 August 1946 by the alumni of the School.

Patent management agencies: Research Corporation, both for the University and for the University of Oklahoma Research Institute, under a patent development agreement with the Institute, and the Oklahoma Medical Research Foundation with respect to the inventions made in the School of Medicine; both the Institute and the Foundation are authorized to enter into contracts or trust agreements with inventors with respect to the disposition of patent rights on their own inventions voluntarily assigned to the Institute or to the Foundation, or directly to Research Corporation, and the distribution of earnings from the sale or exploitation of patents obtained on the inventions under terms and conditions mutually agreed upon.

UNIVERSITY OF TULSA

Tulsa 4, Oklahoma

Formalized research and patent policy, adopted 21 September 1947 by the Board of Trustees of the University and amended 21 October 1948; applicable on a university-wide basis:

> Whenever any of the scientific activities or research of personnel of the University shall result in the discovery or invention of a process or device of commercial value or utility, the person or persons responsible for such discovery or invention shall forthwith report the same to the Dean of the School of Engineering.
>
> If the discovery or invention be the result of sponsored research or fellowship

research, under contract by which the sponsor or donor shall have rights in processes or inventions arising therefrom, the discovery or invention shall be reported by the University to the sponsor, who shall have the rights, options and obligations with respect to patents, patent applications and the cost of initiation, prosecution and procurement thereof, which may be set forth in such sponsor's contract.

If any discovery or invention shall result from research other than sponsored research or fellowship research, or shall result from research affected by contracts in which a sponsor or donor may have had contract rights which have been waived or relinquished in favor of the University, the University may, but shall not be bound to, contract with outside persons or corporations for the procurement of patent protection of the discovery or invention and may pledge or assign not to exceed 50% of the royalties or profits of any resulting letters patent in security of or in payment of costs or services in procurement and/or management of such patent rights.

The President of the University shall appoint a Patents Committee of three members of the faculty of the School of Engineering, which committee shall study and make recommendations to the Board of Trustees of the University as to the commercial value and utility of any discovery or invention availing to the University under law and this policy. Within six months of receipt of the recommendation of the Patents Committee, said Board of Trustees may elect to procure patent protection upon such discovery or invention and may provide for the same by contract with outside persons or otherwise for the benefit of the University. In the event that the said Board of Trustees shall decide that such invention is not commercially useful or valuable or shall decide for other reasons that it is undesirable to protect the same for the use of the University, the said Board of Trustees will by resolution relinquish such discovery or invention in favor of the inventors identified by law.

In no event shall the University be obligated to prosecute or pay for the prosecution of any application for letters patent or any action for the defense thereof or any action for the infringement thereof, except upon the independent and specific action of the Board of Trustees in its sole and absolute discretion unaffected by any provision of this policy plan.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

EASTERN OREGON COLLEGE

La Grande, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

LEWIS AND CLARK COLLEGE

Portland 19, Oregon

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

LINFIELD COLLEGE

McMinnville, Oregon

No formalized research or patent policy; in accordance with action of the Board of Trustees of the College on 16 January 1953, a patent waiver agreement is required of all staff members and research workers employed on externally sponsored research whereby any invention, improvement or discovery conceived or first actually reduced to practice in the performance of experimental, developmental or research work called for or incidental to the research contract shall be assigned to the College or, since the establishment of the Linfield Research Institute on 28 October 1955, to the Research Institute, an independent nonprofit corporation, separate from but subsidiary to and wholly owned by the College, which serves as the research arm of the College and, since its establishment, has handled all research grants and contracts in behalf of the College.

Patent management agency: Research Corporation, both for the College and the Research Institute, since its establishment, and for individual inventors by voluntary assignment of their inventions; except as indicated above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, either by the College or by the Research Institute, the inventor receives 12% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

OREGON COLLEGE OF EDUCATION

Monmouth, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

OREGON STATE UNIVERSITY

Corvallis, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a university-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; also, in their respective fields, the Agricultural Engineering Research Foundation established 7 June 1934 and the Agricultural Research Foundation established 25 October 1934, separately incorporated nonprofit organizations closely affiliated with the University; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

PORTLAND STATE COLLEGE

Portland 1, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

REED COLLEGE

Portland 2, Oregon

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude; staff members who make patentable discoveries or inventions are understood to have sole right to these discoveries or inventions; they can either proceed on their own or they can ask the College to seek a patent for them through Research Corporation under the agreement the College has with Research Corporation.

Patent management agency: Research Corporation, both for the College and for inventors by voluntary assignment of their inventions; the equities of inventors in their inventions are recognized in accordance with the patent development agreement with Research Corporation.

SOUTHERN OREGON COLLEGE

Ashland, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

UNIVERSITY OF OREGON

Eugene, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a university-wide basis, also to the other higher educational institutions under the control of the State Board of Higher Education:

A. Objectives of patent policy

(1) Assist personnel of higher educational institutions in developing and protecting inventions.

(2) Promote public welfare by patenting inventions and by controlling marketing of products or processes resulting therefrom to the end that there shall be the greatest possible benefit to the public.

(3) Determine equities and interest of all parties concerned with inventions.

(4) Promote further research.

B. Agreement governing assignment of patent rights of inventor

(1) An employee who develops what is considered to be a patentable invention must report findings to and confer with the institutional patent committee.

(2) Persons whose employment arrangements specifically provide for the performance of research duties, either full-time or part-time, must enter into a patent assignment agreement for all patentable inventions developed in the course of such research. For other employees, if the patent committee finds that institutional facilities or services were used in developing an invention, the inventor is expected to enter into a patent assignment agreement.

C. Institutional patent committee—duties and powers

A patent committee is to be created at each institution where it appears that inventions are likely to develop. Inventor must report to the committee when he believes that a patentable invention has been developed. The Committee is to counsel with inventor and evaluate patent possibilities. The committee appraises equities of inventors and counsels with the institution executive.

The committee assists the institution in all possible ways, as may be requested and considered desirable by an institution, to the end that inventions are patented and exploited; or a determination made by the committee to waive the State's rights to a potential patent.

The committee negotiates contractual agreements with inventors including the waiving of the State's rights in potential patents. These agreements are to be negotiated in collaboration with and approval of the chancellor's office.

D. How patents will be obtained

Institutional patent committee will appraise inventions. Recommendations for patenting or the State assigning or releasing of patent rights to be developed in consultation with the institutional executive and the chancellor's office.

E. Disposition of royalty income to the inventor and the State

Agreement is to be negotiated by institutional representatives or patent committee subject to counsel and approval of institutional executive and the chancellor's office.

Due consideration is to be given to the equity of all parties in the light of all circumstances surrounding the development of a particular patent.

The State's share of income, after paying its costs, is to be dedicated to the institution of the inventor. The use of such net income shall be subject to approval of the institutional executive and in harmony with established budget policies of the Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

UNIVERSITY OF PORTLAND

Portland 3, Oregon

Formalized research and patent policy, adopted 12 October 1960 by the Board of Trustees of the University for a three-year experimental period; applicable on a university-wide basis:

> A faculty member who wishes to patent an invention will submit his idea to the University with the understanding that the University will either agree to attempt to obtain a patent or refuse to do so within 60 days. (This of course applies to ideas developed under University auspices or support.) In the case of refusal, the University will have no further claim on the idea or any patents issuing therefrom. If the University obtains a patent, the faculty member or members responsible for the idea shall be entitled to 25% of the revenue derived therefrom. This may be modified in accordance with the terms of contracts with outside agencies.

No patent management agency other than the Board of Trustees of the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 25% of the net revenue derived from the sale or exploitation of patents obtained on the invention.

Pennsylvania

ALLEGHENY COLLEGE

Meadville, Pennsylvania

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, leaving to the faculty member responsibility for handling each situation on an individual basis. No patent management agency.

BRYN MAWR COLLEGE

Bryn Mawr, Pennsylvania

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a joint committee of the Faculty and the Board of Trustees of the College; at present each situation is handled on an individual basis. No patent management agency.

BUCKNELL UNIVERSITY

Lewisburg, Pennsylvania

Formalized research and patent policy, adopted 8 December 1956 by the Board of Trustees of the University; all research at the University, and particularly sponsored research, is conducted in accordance with prescribed procedures; every faculty member and other employees of the University engaged on or concerned with sponsored research is required to execute a patent waiver agreement; applicable on a university-wide basis to faculty members and students:

It is the policy of Bucknell University that, unless government security regulations prevent it, the right of free publication of findings (including copyright) is reserved for the faculty investigator and may not be restricted by the sponsor. Any other policy would be inconsistent with the primary aim of the University to advance and disseminate knowledge. If patent rights are involved, delay in publication may be arranged to protect the patent application. The terms of such delay should be included in the research contract. Ordinarily, the faculty investigator should submit a copy of his paper to the sponsor in advance of publication.

As between the University and the sponsor, patent rights should be specifically stated in the research contract.

As between the University and the faculty investigator, the following policy is applicable: A staff member engaged in unsponsored research involving the use of University facilities or in a field of activity related to his University employment is not precluded from applying for patents on inventions or discoveries nor barred from receiving personal gain from his efforts.

On sponsored research, however, the following policy applies: Patents on inventions or discoveries may be applied for, with the approval of the President, in which case the inventor shall assign his rights in the patent to the University upon the payment to the patentee of any personal out-of-pocket expenses. The University will then exercise its ownership of such patent with or without profit, with due regard for the interests of all concerned.

No patent management agency other than the Board of Trustees of the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor will share in the net income derived from the sale or exploitation of any patents obtained on the invention.

CARNEGIE INSTITUTE OF TECHNOLOGY

Pittsburgh 13, Pennsylvania

Formalized research and patent policy, originally adopted 22 May 1944 by the Executive Committee of the Trustees of the Institute and amended 24 February 1945 (modification currently under consideration); applicable on an institute-wide basis to both faculty and students:

I. Ownership of inventions

A. In cases involving the Institute and an outside agency, patent rights shall be specified in a special contract approved by the Institute and covering the research.

B. An invention or discovery shall be the sole property of the Institute if the Institute has substantially completely supported the research out of which it has emerged.

C. The Institute shall have no equity in an invention or discovery if the Institute has made only an inconsequential contribution or no contribution whatever to the research leading up to it. All such cases, however, shall be reported in accordance with II-A below.

D. In cases lying between categories B and C above, the legal title to the invention or discovery shall be in the Institute, for purposes of orderly administration, but the inventor shall be entitled to a share in the returns (if any) from it, commensurate with the respective contributions of the inventor and the Institute, the proportions in any case to be determined by a Committee on Patents subject to review by the President and the Executive Committee of the Trustees.

II. Administration of policy

A. Where an invention or discovery coming within the purview of this Statement of Patent Policy has been made, the inventor shall inform the President in writing, through the department head and director concerned, regarding the circumstances of the case.

B. In each particular case requiring review, a special Committee on Patents shall be appointed by the President with the approval of the Executive Committee of the Trustees. A case shall be deemed to require review if either the President or the inventor so determines.

C. Each Committee on Patents shall be composed of representatives of the trustees, administration and faculty, and students (if involved).

D. The functions of a Committee on Patents shall be

> (1) to determine, subject to review by the President and the Executive Committee of the Trustees, whether the case under consideration lies in category B, C or D above; and if in category D, the specific proportions in which the proceeds are to be shared between the inventor and the Institute; and
>
> (2) to review and make recommendations to the President regarding any other issue that may arise concerning the particular case assigned to it.

E. The final decision on matters coming within the purview of this Statement of Patent Policy shall rest with the President and the Executive Committee of the Trustees.

F. If it shall be determined that an invention lies in category B or D above and that the Institute desires to obtain patent protection thereon, the inventor shall, upon request, execute such applications, assignments and other lawful papers and do such other lawful acts, as may be deemed necessary or desirable by counsel for the Institute, to vest legal title to the invention and any patents thereon (both for the United States and foreign countries) in the Institute or its nominees and to aid in obtaining patent protection therefor, all without expense, however, to the inventor.

G. If it shall be determined that an invention comes within category B or D above and that the Institute does not desire to obtain patent protection thereon, the President and the Executive Committee of the Trustees, if they deem it to the best interest of the Institute to do so, may convey some or all of the Institute's rights in the invention to the inventor, with such reservations for the protection of the Institute as they may deem proper.

H. If it shall be determined that an invention comes within category B above and that the Institute desires to obtain patent protection thereon, the President and the Executive Committee of the Trustees, if they deem it to the best interest of the Institute to do so, may provide that the inventor share in the returns (if any) from the invention to the extent determined by the President and the Executive Committee of the Trustees.

III. Applicability of policy to students

All graduate students who spend substantially full time at the Institute in any combination of study, research and teaching will be required to indicate in writing their acceptance of the provisions of this policy. The rights of the Institute, if any, in inventions made by any other student under the sponsorship of the Institute or employing its facilities will be subject to determination, unless other-

> wise expressly agreed, by the applicable law relating to ownership of inventions, implied licenses and shoprights.

Patent management agencies: Research Corporation and the Battelle Development Corporation under patent development agreements with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; each case is considered by a special committee on patents appointed by the President of the Institute and, commensurate with the respective contributions of the inventor and the Institute, the inventor receives a share of whatever returns are received from the sale or exploitation of any patents obtained on his invention, as determined by the committee.

CHATHAM COLLEGE

Pittsburgh 32, Pennsylvania

No formalized research or patent policy; as a general practice, each situation is considered on an individual basis to suit particular circumstances. No patent management agency.

DREXEL INSTITUTE OF TECHNOLOGY

Philadelphia 4, Pennsylvania

Formalized research and patent policy, adopted 19 December 1935 by the Board of Trustees of the Institute, although currently in process of revision; all research at the Institute is coordinated under an Office of Research; applicable on an institute-wide basis to both faculty and students:

> 1. Inventions or other developments, whether or not subject to patent or copyright, resulting directly from a program of research financed entirely by the Drexel Institute shall be the exclusive property of the Institute and the Institute shall be entitled to all benefits or rights accruing from such inventions or developments and may acquire the title to any patents or copyrights based thereon. It shall hold and administer these rights for the ultimate benefit of the public. In cases where, after a reasonable period, the Institute does not choose to acquire rights to inventions or developments arising in this manner, provision shall be made whereby said rights or a part of them shall revert to the individuals who made the inventions or developments.
>
> 2. Inventions or developments produced by a staff member or student along lines unrelated to an Institute program of research with which the individual may be connected and to the production and development of which the Institute contributes nothing substantial in funds, space, facilities or time of a staff member shall be the exclusive property of the individual producing the invention or development.
>
> In cases where the development is produced by a student who is paying tuition and who is utilizing for research only a reasonable amount of space and facilities, it shall be considered that the Institute is not contributing to the research, inasmuch as it is considered that such space or facilities are provided for by the tuition payment.
>
> In cases where the student is receiving scholarship aid, the acceptance of such scholarship aid shall not be considered as changing the status of the student in regard to title to inventions or developments, since such scholarship funds have been provided primarily for the assistance of outstanding students and are in

general administered by rather than contributed by the Institute. The rights of the students or staff members under this section include the right to assign or otherwise dispose of these rights.

In those cases where a contract is made with an outside party with definite provisions for all expenses connected therewith, including overhead, it shall be considered that the Institute has no equity or claim to inventions or developments resulting therefrom.

3. In intermediate cases, where the costs of development are borne jointly by the Institute and an individual, whether student or staff member, it shall be considered that the equities are divided substantially in proportion to the contributions. Every such case shall be subject to special agreement and in the absence of any such agreement it shall be considered that the title remains with the Institute in any cases in which the Institute has substantially contributed.

No patent management agency other than the Board of Trustees of the Institute; would probably utilize Research Corporation whenever patent problems arose; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institute, would be subject to special agreement on the division of any income derived from the sale or exploitation of any patents obtained on the invention, substantially in proportion to the respective contributions of the Institute and the inventor to the making of the invention and to the costs of its development and patenting.

DUQUESNE UNIVERSITY

Pittsburgh 19, Pennsylvania

No formalized research or patent policy, although such a policy has been proposed by the Council on Instruction and is awaiting approval by the Executive Committee of the University; at present each situation is handled on an individual basis under a Coordinator of University Research, subject to approval of the Academic Vice President. No patent management agency at present, but it is proposed that the University enter into a patent development agreement with Research Corporation.

FRANKLIN AND MARSHALL COLLEGE

Lancaster, Pennsylvania

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

HAHNEMANN MEDICAL COLLEGE

Philadelphia 2, Pennsylvania

No formalized research or patent policy, although consideration is currently being given to the formulation of such a policy; as a general practice each situation is at present handled on an individual basis; inventions resulting from sponsored research are subject to the terms of the research contract.

Patent management agency: Research Corporation under a patent development agreement with the College, both for the College and for inventors who may voluntarily assign their inventions; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College or to Research Corporation, the inventor receives a predetermined share of the net income derived by the College from the sale or exploitation of patents obtained on the invention.

JEFFERSON MEDICAL COLLEGE

Philadelphia 7, Pennsylvania

Formalized research and patent policy, adopted 6 November 1961 by the Board of Trustees of the College; applicable on a college-wide basis to staff members of the College and its affiliated institutions:

> Patents arising from discoveries and inventions of members of the total staffs of the Jefferson Medical College of Philadelphia, ('Jefferson'), including the Jefferson Medical College, the Jefferson Medical College Hospital and all other divisions, departments, foundations or agencies of Jefferson, shall be assigned directly to Research Corporation, except (1) in cases of patents arising in the course of work under Government-sponsored contracts; and (2) in cases where individual members of the staff wish to take out the patent and dedicate it to the public. Royalties from such patents, other than those covered by the above-stated exceptions, may be accepted and received by Jefferson and such royalties received will be administered for the support of research in accordance with approved policies and procedures. Royalties will not be paid to an individual inventor in connection with a patent arising from work done in the Jefferson Medical College of Philadelphia, including the Jefferson Medical College, the Jefferson Medical College Hospital and all other divisions, departments, foundations or agencies of the Jefferson Medical College of Philadelphia; provided however, that Jefferson's Board of Trustees reserves the right to make exceptions to the aforesaid policy if the Board shall determine that, in any case, circumstances of an unusual nature indicate that an exception should be made and also to determine any patent problem which may not be covered by the aforesaid policy.

Patent management agency: Research Corporation under a patent development agreement with the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor may receive such share of any income derived from the sale or exploitation of patents, as is determined in each particular case by the Board of Trustees of the College on recommendation of the Research and Research Funds Committee and the Executive Faculty of the College.

JUNIATA COLLEGE

Huntingdon, Pennsylvania

No formalized research or patent policy; as a general practice the College observes a laissez-faire or hands-off attitude. No patent management agency.

KING'S COLLEGE

Wilkes-Barre, Pennsylvania

No formalized research or patent policy; as a general practice, the College reserves the right to determine the disposition of inventions and discoveries made by faculty and students which are not controlled by contract or agreement, the disposition to be made in the best interests of the College and the inventors after consultation with the parties concerned. No patent management agency other than the Administrative Council of the College.

LA SALLE COLLEGE

Philadelphia 41, Pennsylvania

No formalized research or patent policy; all research undertaken on College premises is subject to approval by the head of the department concerned and the Vice President for Academic Affairs. No patent management agency.

LEHIGH UNIVERSITY

Bethlehem, Pennsylvania

Formalized research and patent policy, adoopted 25 April 1924 by the Board of Trustees of the University in connection with the establishment of the Lehigh Institute of Research as an administrative unit of the University; under contracts for sponsored research all patent rights are usually assigned to the sponsor; employees of the University engaged on such research are permitted to sign patent waiver agreements with the sponsor, sometimes with the reservation of a royalty to the University or the inventor; applicable on a university-wide basis and administered by the Director of the Institute of Research:

> (a) Any member of the scientific or teaching staff of Lehigh University who has made a valuable discovery or invention as the direct result of his regular duties on University time and at University expense may be required to patent his discovery or invention, the expenses connected therewith to be borne by the University.
>
> (b) Application for a patent to cover such discoveries or inventions shall be made in such cases as are recommended by the Director of the Lehigh Institute of Research and approved by the Board of Trustees of the University.
>
> (c) If a patent is issued the patentee shall assign the patent to the Board of Trustees of Lehigh University for a nominal consideration.
>
> (d) A patent thus assigned shall be administered by the Board of Trustees in such manner as it may determine; provided, however, that if the patent is sold or a royalty for its use is paid, one-half of the money thus realized by the University shall be paid to the patentee, and the other half assigned to the Lehigh Institute of Research for the furtherance of research.
>
> (e) If a discovery or invention is developed in connection with a cooperative investigation and a patent thereon is secured in accordance with the preceding regulations, the cooperating agency will first be afforded the opportunity to purchase or lease the patent rights, or in other manner shown preferential treatment, in recognition of its financial assistance in the conduct of the investigation.

> (f) These regulations shall not be construed to include questions of ownership in copyrights on books or of inventions or discoveries made by members of the teaching or scientific staffs outside their regular duties and at their own expense.

No patent management agency other than the Board of Trustees of the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 50% of the net income derived from the sale or exploitation of patents obtained on the invention.

LINCOLN UNIVERSITY

Lincoln University, Pennsylvania

No formalized research or patent policy; currently the University observes a laissez-faire attitude, but a faculty research committee has been given a mandate to develop a policy. No patent management agency.

MUHLENBERG COLLEGE

Allentown, Pennsylvania

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, except that faculty members receiving research grants are asked to discuss them with the President and Dean of the College. No patent management agency.

PENNSYLVANIA STATE UNIVERSITY

University Park, Pennsylvania

Formalized research and patent policy, originally adopted 18 January 1926 by the Board of Trustees of the University and revised in February 1940; sponsored research, which is administratively handled through a Contract Negotiator and Coordinator in the Office of the Vice President for Research, is conducted in accordance with prescribed procedures developed by an Advisory Committee on Research; applicable on a university-wide basis:

> 1. Investigations financed wholly by the University. In the case of research workers engaged for or assigned to specific research projects, the contract of the University with such an employee requires that he patent results of his researches and assign the same to the University in which event the University will pay the cost of obtaining such patents; but if the University should dispose of a patent of a discovery or invention of a member of its staff on such terms as to yield a return in excess of the cost of such patent, then the Board of Trustees, or the designated representatives of the Board, will consider a just compensation to the discoverer or inventor from the net proceeds. If the University fails to pay the costs of obtaining a patent within a year after the discovery is announced to the University, then all rights and title to the patent remain in the name of the inventor.
>
> If the University does not require a contract with the employee, then it is understood by both parties that the law covering rights to patents shall prevail. In this case, it is generally assumed that the title remains with the inventor unless the University can show that the patent was a result of investigations on which the inventor was employed, or a result of the studies made by him under the direction of the University, or on University time and facilities or with a com-

bination of these factors, which would warrant the University in claiming the patent rights.

2. Investigations in which a part of the material requirements or personal service involved are provided at the expense of the University, the remainder being contributed by an organization of an industrial or other character, or by individuals not connected with the University. The cooperative nature of research of this category should be recognized by an equitable understanding or agreement between the University and the cooperating party or parties providing for the sharing of the proceeds from resulting patents, and specifying the terms of publication of results. In the absence of an agreement all rights to publication and to patents should belong to the University, provided that this condition had been put before the cooperating agencies.

3. Investigations financed wholly by an organization of an industrial or other character. It is important that research of this category be prosecuted under a contract determining the rights of publication and the ownership of patents which may result from such research.

4. Investigations performed by members of the University staff on their own time and at their own expense. The results of such research are obviously the private property of the investigator.

Patent management agencies: the Pennsylvania Research Corporation, a separately incorporated nonprofit organization established 24 February 1934, and also Research Corporation and the Battelle Development Corporation under patent development agreements with the Pennsylvania Research Corporation, both for the University and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Pennsylvania Research Corporation or to Research Corporation, the inventor receives not more than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention, the percentage to be determined by the President of the University in each individual instance.

PHILADELPHIA COLLEGE OF PHARMACY AND SCIENCE

Philadelphia 4, Pennsylvania

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice the College at present observes a laissez-faire attitude; arrangements and agreements with respect to sponsored research are made either directly with the sponsors by faculty members and research workers or through their department heads. No patent management agency.

PHILADELPHIA COLLEGE OF TEXTILES AND SCIENCE

Philadelphia 44, Pennsylvania

No formalized research or patent policy; as a general practice each case is handled individually and, in the case of sponsored research, by letter agreement or contractual arrangements with the sponsor. No patent management agency.

TEMPLE UNIVERSITY
Philadelphia 22, Pennsylvania

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice each situation is at present handled on an individual basis; research is generally coordinated under an Office of Research and Specialized Services, including sponsored research.

No patent management agency other than the Board of Trustees of the University; in some cases the equities of inventors in their inventions are recognized to a limited degree by a nominal payment to the inventor from any income derived by the University from the sale or exploitation of any patents obtained on his invention.

UNIVERSITY OF PENNSYLVANIA
Philadelphia 4, Pennsylvania

Formalized research and patent policy, adopted 10 January 1941 by the Board of Trustees of the University; sponsored research is administratively handled through an Office of Project Research and Grants under prescribed procedures; every employee of the University engaged on or concerned with research is required to execute an appropriate patent waiver agreement; applicable on a university-wide basis:

> *The Trustees have declared it to be the policy of the University of Pennsylvania that any invention or discovery which may in any manner affect the public health, such as a new drug, process or apparatus intended primarily for medical or surgical use, shall not be patented for profit, either by an individual in the employ of the University or by the University itself. However, in order to prevent the capitalization and exploitation by others of any such discoveries or inventions and in order to protect the public, the Executive Board may consider it advisable from time to time to patent such inventions or discoveries with the sole intention of protection without profit.*
>
> *Where researches in fields other than those affecting public health are carried out on University time or at University expense by special grants or otherwise, patents on inventions or discoveries may be applied for, with the approval of the President of the University, in which case the inventor shall assign his rights in the patent to the University upon the payment to the patentee of his expense in securing the patent. The University will then exercise its ownership of such patent with or without profit, with due regard for the interests of all persons concerned.*
>
> *An appropriate patent release shall be signed by every employee engaged on or concerned with a research contract of the University.*

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized, except with respect to inventions and discoveries which may in any manner affect the public health; as indicated in the policy statement above, such inventions and discoveries shall not be patented for profit, either by the inventor or by the University itself; when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF PITTSBURGH

Pittsburgh 13, Pennsylvania

Formalized research and patent policy, adopted 9 May 1961 by the Chancellor of the University after long study by faculty committees and the Council of the University Senate; administered by an Advisory Committee on Patents and applicable on a university-wide basis to both staff members and students:

A. Patent rights resulting from research carried on by staff members or students in connection with projects supported entirely or largely by University resources shall be assigned to and controlled by the University, which shall give to the inventor 15% of the gross financial returns from the sale or exploitation of such patents.

B. Patents resulting from inventions and discoveries made by staff members or by students in the course of their personal research and with little or no use of University resources shall be the sole property of the inventors.

C. Research carried on by a student in fulfillment of course requirements or other requirements for an academic degree, including the preparation of a thesis or dissertation, shall be construed as making use of University resources and shall be subject to the provisions of section A above.

D. Patents resulting from inventions or discoveries made by members of the staff or by students in connection with government-sponsored research contracts shall be controlled by the terms of those contracts. Staff members accepting government-sponsored research shall execute such agreements as will enable the University to meet its obligations to the sponsoring agencies.

E. Since the University carries on research for the purposes of extending knowledge and educating students, it accepts research grants from non-government sources with these purposes primarily in view. If inventions result from such research, the University and the inventor or inventors will handle these inventions in accordance with the terms of section A above and will grant a non-exclusive license without charge to the organization for which the research was undertaken.

F. Except in time of war or comparable national emergency, the University reserves for itself and its staff all rights to the publication of the results of sponsored research, subject to the following conditions:

(1) Where a possible patent is involved, publication will be withheld for a period not to exceed six months so that a patent application can be filed. The sponsoring agency will be expected to use its best efforts to expedite such application.

(2) Any patented or commercial product mentioned in such a publication shall not be referred to by its trade name except with the consent of both the University and the sponsoring agency.

(3) Although the University will if requested submit to the sponsoring agency any proposed publication before printing it and will try to meet all reasonable requests and suggestions, the University reserves full authority as to the form, scope and content of such publication.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University or to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WESTMINSTER COLLEGE

New Wilmington, Pennsylvania

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

WOMAN'S MEDICAL COLLEGE OF PENNSYLVANIA

Philadelphia 29, Pennsylvania

No formalized research or patent policy, but an informal policy which opposes the patenting, either by the College or by a member of the staff, of any medical appliance or any medical preparation; this is merely an expression of opinion by the faculty, no formal resolution has ever been adopted by the faculty or administration of the College. No patent management agency.

Puerto Rico

UNIVERSITY OF PUERTO RICO

Rio Piedras, Puerto Rico

Formalized research and patent policy, enacted 20 March 1951 by the Legislature of Puerto Rico, covering discoveries and inventions made by all public employees, including those of the University; applicable on a university-wide basis:

> 1. Inventions by employees of government. Any employee of the Commonwealth of Puerto Rico or of any of its instrumentalities, agencies, dependencies and public corporations, who, while in the discharge of the duties of his position or employment, may discover or invent any process or device that can, due to its originality and usefulness, be registered in the Patent Office at Washington, D. C., shall inform in writing about his scientific invention or discovery, to the Committee hereinafter established, requesting that he be permitted to register said invention, or that the same be registered, in the Patent Office at Washington, D. C., in his name and for the benefit of the Commonwealth of Puerto Rico and of said employee.
>
> 2. Committee for promotion of scientific and technical research. A committee is hereby created for the promotion of scientific and technical research in Puerto Rico, composed of the Dean of the Faculty of Engineering of the College of Agriculture and Mechanic Arts of Mayaguez, the Director of the Agricultural Experiment Station of Puerto Rico, the Director of the Department of Technical Research of the Economic Development Administration, the Secretary of Public Works and the Secretary of Health.
>
> 3. Chairman; hearing for employee; release if valueless. The Dean of the Faculty of Engineering of the College of Agriculture and Mechanic Arts of Mayaguez shall be the Chairman of the Committee. He shall call a meeting as soon as he receives an application for the registration of an invention patent. The Committee shall invite by mail the employee who has filed his application to a private hearing at which said employee shall briefly explain his invention or discovery, and he shall leave with the Committee, for further study, the plans and the description of his process or device. The Comittee shall decide, not later than

30 days after the hearing is held, whether or not the invention or discovery is worthy of being patented. If it is believed that the invention or discovery is valueless, the interested party shall be so informed, in order that he may then take by himself the necessary steps to obtain a patent on his invention or discovery, and, in case he does, the Commonwealth of Puerto Rico would have no share in the profits received by the inventor.

4. Employee free if Committee fails to act. If for any reason the Committee is unable to make a decision within 30 days after the hearing is held, the inventor shall be at liberty to act by himself and he may then take the necessary steps for patenting his invention or discovery; if he secures the patent certificate, the Commonwealth of Puerto Rico would then have no right or share in the invention or discovery.

5. Share in patent and royalties. Should the Committee resolve that the invention or discovery is sufficiently worthy, then it shall determine that The Commonwealth shall assume and defray all necessary expenses to have the invention or discovery patented in the name of the inventor and assigned to The Commonwealth of Puerto Rico, and The Commonwealth of Puerto Rico shall receive a share of 66⅔% of all royalties and other receipts derived from the use or other disposition of the patent, and the inventor shall receive a share of 33⅓% of such receipts.

6. Preparation of application for patent. As soon as the Committee shall have studied the invention or discovery and resolved it is worthy of being patented, it shall so notify the inventor, so that he may, as soon as possible, prepare the statements, the proper documents, and the necessary diagrams and details to be sent to a firm of lawyers conversant with the matter, and which is satisfactory to the inventor, so that said firm may study the case and file the necessary documents with the United States Patent Office in Washington, D. C. In case the inventor requests technical assistance from the Committee to prepare all the necessary documents for patenting the invention or discovery, the Committee may utilize for the purpose the services of the employees of the Commonwealth of Puerto Rico and of its agencies, instrumentalities and public corporations.

7. Sale of patent rights; hearing for inventor. Whenever the Committee shall decide to sell or make any transaction with the patent rights obtained in accordance with Article 5 of this title, by permitting its use or utilization by other persons or entities, said Committee shall give the inventor an opportunity to appear before it and express his opinion with regard to the terms and conditions of the transaction, before final action is taken thereon.

8. Special fund. A fund to be known as Special Fund for the Promotion of Scientific and Technical Research in Puerto Rico is hereby created in the Treasury of Puerto Rico, into which fund shall be covered all profits or receipts obtained by the Commonwealth of Puerto Rico from the royalties, sale or other disposition or use made of the patents registered.

Patent management agency: Committee for the Promotion of Scientific and Technical Research in Puerto Rico, for the Commonwealth of Puerto Rico; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Commonwealth of Puerto Rico, the inventor receives 33⅓% of the gross income derived from the sale or exploitation of patents obtained on the invention.

BROWN UNIVERSITY

Providence 12, Rhode Island

No formalized research or patent policy; except as required under sponsored research arrangements, the University does not require faculty and staff members to assign their patent rights in their own discoveries or inventions. No patent management agency.

PROVIDENCE COLLEGE

Providence 8, Rhode Island

Formalized research and patent policy, adopted 16 December 1961 by the administration of the College; each situation is handled on an individual basis, with the College having no interest in acquiring patents, preferring publication of the results of faculty research; applicable on a college-wide basis:

> All rights and benefits from patents and copyrights issued to members of the Providence College faculty are exclusively the possessions of the faculty member to whom they are issued, subject to the special conditions and provisions of the granting agency supporting the research leading to the patent or copyright in question.

No patent management agency; all patent rights are left to the inventor, unless proscribed by the terms of a research grant or contract.

UNIVERSITY OF RHODE ISLAND

Kingston, Rhode Island

Formalized research and patent policy, originally adopted in April 1943 by the Board of Trustees of the University and revised 18 January 1950 and 23 March 1951; applicable on a university-wide basis:

> Whenever patentable inventions or discoveries of potential commercial value are developed by members of the University staff in the Agricultural Experiment Station, the Engineering Experiment Station or other divisions of the University, such inventions or discoveries should be so controlled as to effect the greatest public benefit.
>
> In the several divisions of the University concerned with research and development, three classes of projects are recognized:
>
> > 1. Projects financed wholly from institutional funds (including State and Federal appropriations).
> >
> > 2. Cooperative projects financed wholly or in part by grants from non-institutional sources (industrial corporations, foundations, individuals or private interests).
> >
> > 3. Personal or unorganized research completed on the individual's own time and at personal expense.
>
> In research projects financed wholly from institutional funds, Class 1, all inventions or discoveries shall be the property of the University because such research is considered part of the regular assigned duties. If, in such a case, it is the

opinion of the University Research Committee that the interests of the public will be best served under patent protection, the individual investigator who made the invention or discovery, and his associates if any, may be required to apply for a patent, the expense to be borne by the University. At the time of filing the application for a patent the investigator may be required to assign it to the Board of Trustees of the University of Rhode Island, to be administered in the public interest. However, in case the University does not wish to assume the full responsibility for the patent, the investigator may be authorized to enter into a written contract with a collaborating agency for the purpose of securing a patent and developing it commercially. In either case, the rights of both the investigator and the University to share in any financial returns by way of royalties or license fees shall be recognized. Any contract made with a collaborating party shall be written and shall safeguard these rights. If the patent is obtained by the University, the inventor or discoverer will be paid the first $1,000 received as income from the patent after the University has been reimbursed for all expenses incident to securing or defending the patent, and 20% of the income above the original $1,000. If more than one inventor or discoverer is involved, the $1,000 and any additional income received is to be divided as agreed by the inventors or discoverers. When two or more patentees are involved and there is disagreement on the division of royalties and any additional income, the dispute must be referred to the Research Committee for decision. If the University fails to pay the costs of obtaining a patent within a year after the invention or discovery is announced to the University, or decides that it does not wish to assume full responsibility for a patent, then all rights and title to the patent shall remain in the name of the inventor or discoverer. If the inventor or discoverer contracts with a collaborating agency for the purpose of securing a patent and developing it commercially, the inventor or discoverer shall pay to the University 20% of the net proceeds from license fees, royalties or other income resulting from the patent in excess of $1,000.

Research projects financed wholly or in part by grants from outside sources, Class 2, require a written agreement or contract between the Board of Trustees of the University and the collaborating party which shall be executed before the project is started, covering matters of expenses and the disposition of patent rights. Patents resulting from such research may be assigned either to the Board of Trustees or directly to the collaborating party, according to the previously written agreement. The agreement must be approved by the University Committee on Research, the President and the Board of Trustees of the University. If the patent is retained by the Board of Trustees, the rights of the individual inventor or discoverer are protected according to the regulations for Class 1 projects. If the patent is assigned to the collaborating party, it shall be provided that the University shall participate in the royalties and license fees resulting from such patent, the proportionate share to be specified in the contract. The University will pay to the inventor or discoverer the first $1,000 received by the University as income from the patent after all expenses have been paid, and 20% of the University share of all income above $1,000 thereafter.

Except in cases of unusually large earnings, the balance of the income received by the University on any patent, Class 1 and Class 2 projects, will be used to finance research in the school responsible for the invention or discovery.

Research and development projects in Class 3 have no relation to the research program or position of the University. The inventor or discoverer owns all rights and no claims are made by the University except that if institutional facilities are used, an agreement between the inventor or discoverer and the University is prepared by the Committee on Research equitably to reimburse the University for the use of such facilities. Ten per cent of the net earnings will be paid to the

> University after the inventor or discoverer has been reimbursed for all expenses incident to securing and/or defending the patent. However, this payment may be waived or reduced if it is evident to the Committee on Research that University facilities and time were not used in developing the invention or discovery or were used to such a slight extent that a 10% charge might be considered exorbitant. This agreement should be completed at the beginning of the research or development program.
>
> All graduate students who spend substantially full time at the University in the combination of study, research and teaching will be required to accept the provisions of this patent policy.
>
> The final decision on matters coming within the purview of this patent policy shall rest with the President and the Board of Trustees of the University or such authority as they may designate.
>
> A member of the staff of the University of Rhode Island, in consideration of the employment by the University and of the salary to be paid by said University, for the purpose of definitely eliminating any possible controversy which may arise as to the ownership of any patent which may be granted, upon and by acceptance of appointment, agrees that if any discovery or invention is conceived, devised or developed in the course of employment by or through the use of the facilities and equipment of the University, the same shall, at the option of the University, be and become the property of the University under the terms and conditions of the patent policy established by the Board of Trustees of the University.
>
> The University of Rhode Island shall have exclusive rights to publish the results of all investigations conducted by members of the University staff in whatever form is considered desirable. By written agreement, publication may be deferred at the request of a collaborating party for a period depending upon the requirements of public interest. At the expiration of one year the University will then reserve the right to publish without the consent of the investigator.

No patent management agency other than the Board of Trustees of the University; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, they share in the income derived from the sale or exploitation of patents obtained on their inventions.

CLEMSON COLLEGE

Clemson, South Carolina

Formalized research and patent policy, adopted 15 June 1934 by the Board of Trustees of the College and included as Article 126, Section 178 in the by-laws of the College; a revision of the policy is currently under study; applicable on a college-wide basis:

> The principle is recognized that the results of experimental work carried on by or under the direction of any College employee or employees, where any of the facilities of the College are used or where any part of the expense involved is paid from funds controlled by the College, belong to the College and the public and shall be used and controlled in ways to produce the greatest benefits to the College and the public.
>
> In the event of any discoveries or inventions resulting from such experimental work, the Board of Trustees shall have the right to determine what use may be made of them in the best interests of the public.
>
> The ownership of copyrights on books or inventions or discoveries made by College employees outside of their regular duties and at their own expense shall not be in the name of the College.

No patent management agency other than the Board of Trustees of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized.

MEDICAL COLLEGE OF SOUTH CAROLINA

Charleston 16, South Carolina

No formalized research or patent policy; each situation is subject to individual negotiation, but ordinarily new discoveries and inventions are published, not patented; sponsored research is coordinated through a Research Grants-in-Aid Office and is conducted in accordance with terms of the research contract. No patent management agency other than the business manager of the College.

UNIVERSITY OF SOUTH CAROLINA

Columbia 19, South Carolina

No formalized research or patent policy, although the formulation of a policy is currently under study by a committee as part of an extensive analysis and reinterpretation of University policies; at present each situation is handled on an individual basis. No patent management agency.

WOFFORD COLLEGE

Spartanburg, South Carolina

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY
Rapid City, South Dakota

Formalized research and patent policy, adopted 6 April 1956 by resolution of the South Dakota Board of Regents, rescinding the policy originally adopted 12 April 1940; sponsored research is administered in accordance with the terms of the research grant or contract negotiated either through the South Dakota School of Mines Research and Development Association, a separately incorporated nonprofit organization established 2 December 1942 to aid in the growth and development of the School and to promote its educational interests, or by the School itself; in his employment contract, every faculty or research employee of the School agrees to assign to the School the patent rights in any invention he makes while in the employ of the School; applicable on a school-wide basis:

> Whereas it is essential to the continuing development and growth of a member of a college faculty that there be an atmosphere of research on the campus and that faculty members participate actively and personally in research projects and
>
> Whereas these benefits accrue to the college somewhat in direct proportion to the encouragement which the college provides for research on its campus and
>
> Whereas research in the sciences and in engineering can be expected, from time to time, to lead to patentable inventions and
>
> Whereas the college can provide incentive for research and development by virtue of an enlightened patent policy.
>
> Now, therefore be it resolved that the contract with each employee of the South Dakota School of Mines and Technology provide that he assign any invention made while such an employee to the South Dakota School of Mines and Technology and that the President be authorized to pay out of college funds, as approved by the Board of Regents, the costs of processing any invention deemed suitable by him for patenting and the President be further authorized to negotiate and to recommend to the Board of Regents a contract for the equitable division of proceeds from any such patented invention and
>
> Be it further resolved that the President of the South Dakota School of Mines and Technology be empowered to negotiate an agreement with a research foundation for the exploitation of patentable ideas, subject to approval and confirmation by the Board of Regents.

No patent management agency at present other than a faculty Patent Administration Committee, although the President of the School is empowered to negotiate a patent development agreement with an acceptable nonprofit research foundation, such as Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the School, the President is authorized to negotiate and recommend to the Board of Regents a contract with the inventor providing for the equitable division of the net income derived from the sale or exploitation of any patents obtained on the invention.

SOUTH DAKOTA STATE COLLEGE

Brookings, South Dakota

Formalized research and patent policy, adopted 18 November 1960 by the South Dakota Board of Regents; applicable on a college-wide basis:

> When a staff member's work at South Dakota State College leads to an apparently patentable invention, this fact should be called to the attention of the department head, the divisional dean, and the chairman of the Research Committee. The chairman of the Research Committee will then advise the inventor as to procedures for processing a patent application.
>
> Usually, patent applications will be processed through the facilities of the Research Corporation in accordance with an agreement between that agency and South Dakota State College. Other channels may, however, be used for processing patent applications upon recommendation of the Research Committee and approval of the President.
>
> The agreement between Research Corporation and South Dakota State College provides for the participation of the inventor or inventors in proceeds from ownership or management of the patent concerned. The details of this arrangement are included in the agreement. In brief, they provide that the inventor (s) will receive a total of 15% of the income from the patented invention.
>
> Where patent applications are processed other than through Research Corporation, it is intended that the inventor or inventors, their heirs, assigns or personal representatives will be paid not later than March 15, in each year a fixed percentage (to be determined by the President upon recommendation of the Research Committee) not exceeding a total of 15% of all moneys received by South Dakota State College against the preceding calendar year as a result of ownership and/or management of the patent concerned.
>
> When more than one inventor is involved, the portion of the proceeds which will accrue to each will be determined by the President upon recommendation of the Research Committee.

Patent management agency: Research Corporation under a patent development agreement with South Dakota State College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention or, when an invention is patented other than through Research Corporation, the inventor receives a fixed percentage, determined by the President of the College on the recommendation of the Research Committee but not exceeding 15%, of all income derived by the College from the exploitation of the patent.

STATE UNIVERSITY OF SOUTH DAKOTA

Vermillion, South Dakota

No formalized research or patent policy; each situation is considered on an individual basis; the South Dakota Regents of Education has authorized the establishment of a South Dakota Research Foundation to handle sponsored research at the University. No patent management agency.

EAST TENNESSEE STATE COLLEGE

Johnson City, Tennessee

Formalized research and patent policy, adopted 18 October 1961 by the Council of Directors of the College; applicable on a college-wide basis:

I. Research done for a degree

1. It is usually the custom that research done for a degree is accomplished on campus with facilities of the various departments of East Tennessee State College.

2. Research done for a degree frequently leads to publication of some phase of the material. This publication implies widespread availability of the results of such investigations.

3. Should such an investigation lead to the issuance of patents, then properly benefits accruing from such patents should revert to East Tennessee State College and the faculty member directing the research and the student.

4. Patents shall be assigned to the college, with distribution of royalties to the student and his research director according to a previously established formula.

5. If the thesis research is sponsored by an outside benefactor, the college shall exercise full control of the quality and quantity of work accepted for the research and the report.

6. Patents shall be assigned to the college, with the college approved researcher, research director and the college participating in direct financial returns from the control of the patent.

7. For each piece of research which might lead to a patent, a contract setting forth the details, both as to procedure and financial arrangement, shall be entered into prior to the beginning of the research.

8. It may be stipulated in contractual agreement that the firm which makes available the facilities requisite to conduct of an investigation which results in potential profit be permitted to use the development at a nominal fee.

9. All negotiations pertaining to the above shall be handled by the President or his appointee.

II. Other research

1. Any member of the college personnel or other individuals working with college facilities or otherwise under college jurisdiction engaged in research resulting in patents shall make prior clearance with the college administration, with mutual benefits to both parties.

2. Should such investigation lead to the issuance of patents, then the benefits accruing from such patents shall be shared among the college, researcher, research director and the benefactor according to contractual agreements.

3. For each piece of research a contract setting forth the details, both as to procedure and financial arrangements, shall be entered into prior to the beginning of the research.

4. It may be stipulated in contractual agreement that the firm which makes available the facilities requisite to conduct of an investigation which results in potential profits be permitted to use the development at a nominal fee.

5. All negotiations pertaining to the above shall be handled by the President or his appointee.

No patent management agency other than the State Board of Education; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor participates in any income derived from the sale or exploitation of patents obtained on the invention.

FISK UNIVERSITY

Nashville 8, Tennessee

Formalized research and patent policy, adopted 25 April 1958 by the Board of Trustees of the University and included in the agreement signed by all employees of the University engaged in research requiring such an agreement; applicable on a university-wide basis:

> The title to a patent for any discovery or invention made by an employee of Fisk University belongs to the said employee and he is free to develop or handle it in any manner he sees fit, subject to the following provisions:
>
> When total royalties or other compensations are $750 or less, no payment to the University is required.
>
> When royalties or other compensations amount to more than $750 and $5,000 or less, 25% of such royalties or other compensations above the sum of $750 and $5,000 or less shall be paid to the University and, if the royalties amount to more than $5,000, then 50% of the amount above $5,000 shall be paid to the University.
>
> Recognizing that such discoveries are seldom the result of single experiments, even though a single experiment may produce the actual patentable result, and at the same time recognizing the right of participants in the project, the principal investigator shall be recognized as the inventor and the rights of the other participants shall be limited to a total of 20% of the amount received by the inventor.
>
> These statements do not preclude agreements suggested by grant agencies, such as the Public Health Service, which give them certain patentable rights.
>
> In determining the amount of royalties, the cost of obtaining the patent shall be deducted and the balance of the royalties shall be divided in the manner hereinbefore set out. Cost shall include preliminary expense of models and drawings, filing fees and attorney's fees, but shall not include expenditures incident to research.

No patent management agency; as indicated in the policy statement above, patent rights in an invention are left to the inventor, but the University shares in the net income derived from the sale or exploitation of the invention in accordance with the provisions of the agreement signed by the employee.

MEHARRY MEDICAL COLLEGE

Nashville 8, Tennessee

No formalized research or patent policy; as a general practice each situation is handled individually on its merits as part of the overall research program initiated in 1947 at the time of the establishment of the now liquidated Meharry Biological Fund, under the direction and control of a special research committee, for the stimulation and development of research at the College. No patent management agency other than the Board of Trustees of the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives a percentage of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SOUTHWESTERN AT MEMPHIS

Memphis 12, Tennessee

No formalized research or patent policy; as a general practice, the college observes a laissez-faire attitude, except with respect to sponsored research which is conducted under arrangements made by Southwestern Research Institute, an unincorporated division of the college established in the fall of 1957, and subject to the approval of the President of the college. No patent management agency.

UNIVERSITY OF TENNESSEE

Knoxville, Tennessee

No formalized research or patent policy; as a general practice each case is handled on an individual basis; sponsored research at the University is handled through a Coordinator of Research; inventors are encouraged to use the facilities of the University of Tennessee Research Corporation which relieves them of all concern with the legal, administrative and commercial aspects of patent management.

Patent management agency: the University of Tennessee Research Corporation, a separately incorporated nonprofit organization, established 29 October 1934, the main purposes of which are to hold title to patents obtained on inventions growing out of research by members of the University staff and to promote the use of the inventions and discoveries covered by the patents; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Corporation, the inventor shares liberally in any income derived from patents obtained on the invention, the amount in each case being covered by an agreement reached at the time the assignment is made.

VANDERBILT UNIVERSITY

Nashville 5, Tennessee

Formalized research and patent policy, adopted 13 May 1940 by the Board of Trust of the University; sponsored research is administratively coordinated under a Division of Sponsored Research and Grants in accordance with prescribed procedures; applicable on a university-wide basis:

> 1. That the administration of Vanderbilt University appoint a University Patent Committee.
>
> 2. That faculty members and employees be made aware that all inventions or other subject matter apparently capable of protection by patent made by a member of any faculty or by any employee of Vanderbilt University pertaining to the subject matter of any development initiated or financed by the University or Faculty should be submitted to the University Patent Committee.
>
> 3. That all inventions or other subject matter apparently capable of protection under the Patent Law made by any faculty member outside the scope of section 2 above may be submitted to the University Patent Committee.

4. That the function of the University Patent Committee shall be to review and to ascertain the facts in individual cases submitted to it involving a question of patent and to make a specific recommendation to the administration as to action and procedure in each instance.

5. That the University Patent Committee be empowered to carry out the wishes of the administration with respect to the Committee's recommendation in each case.

No patent management agency other than the Board of Trust of the University; the equities of inventors in their inventions are recognized, subject to recommendation to the administration by the University Patent Committee.

Texas

BAYLOR UNIVERSITY

Waco, Texas

No formalized research or patent policy, although the formulation of such a policy is currently under study; as a general practice each situation is presently handled on an individual basis, with inventions growing out of sponsored research subject to the terms of the research contract. Patent management agency: Research Corporation, under a patent development agreement with the Board of Trustees of the University; the equities of inventors in their inventions are recognized and as a general practice, especially in the College of Medicine located in Houston, when an invention is assigned to the University, the inventor receives a percentage of the gross income derived from the sale or exploitation of any patents obtained on the invention.

EAST TEXAS STATE COLLEGE

Commerce, Texas

No formalized research or patent policy; as a general practice each situation is handled on an individual basis and ordinarily patentable discoveries and inventions have been left to the inventor, except when the research from which they resulted was conducted entirely with funds provided by the College or under contract with an outside sponsor. No patent management agency other than the Board of Trustees of the College.

LAMAR STATE COLLEGE OF TECHNOLOGY

Beaumont, Texas

No formalized research or patent policy; all research at the College is handled through the Lamar Research Center, a division of the College established in 1953; as a general practice, all patent rights are left to the inventor, except when assigned to the sponsor of a research project, and agreements are made with the inventor that a percentage of the gross income derived from the sale or exploitation of any patents obtained on his invention be paid to the Lamar Research Center, on a graduated scale according to the amount of such income. No patent management agency.

NORTH TEXAS STATE UNIVERSITY

Denton, Texas

No formalized research or patent policy, although a proposed policy, especially with respect to sponsored research, has been formulated by a faculty Research Committee and will be considered for formal adoption by the Board of Regents of the University in August 1962; for the present, as a general practice, each situation is considered on an individual basis and, in the event that anything of patentable nature should develop from a sponsored research project, the patent obtained thereon would be assigned to the University.

No patent management agency other than the Board of Regents of the University, but it is contemplated that the University will enter into a patent development agreement with Research Corporation; the equities of inventors in their inventions are recognized and, both currently and under the proposed policy, when an invention is assigned to the University, the inventor will share in the income derived from the sale or exploitation of any patents obtained on the invention, as determined by the faculty Research Committee.

RICE UNIVERSITY

Houston 1, Texas

No formalized research or patent policy, although the formulation of such a policy is currently under study by a faculty committee; at present the University observes a laissez-faire attitude, except with respect to externally supported research which is conducted under mutual agreements between the sponsor and the University, usually assigning to the sponsor all patent rights resulting from such research but reserving to the University publication rights. No patent management agency.

TEXAS AGRICULTURAL AND MECHANICAL COLLEGE SYSTEM

College Station, Texas

Formalized research and patent policy, adopted 23 November 1949 by the Board of Directors of the Texas Agricultural and Mechanical College System and included as Sections 2 and 3 in Chapter V of the Rules and Regulations for the Texas Agricultural and Mechanical College System; applicable on a system-wide basis, including the Agricultural and Mechanical College of Texas, Arlington State College, Tarleton State College, Prairie View Agricultural and Mechanical College of Texas and the other units of the System:

> 2. Memoranda of Understanding or Agreement for Cooperative Research
>
> a. It shall be the policy of the System and its parts to cooperate whenever possible, within the limits of its means and responsibilities, with individuals, government agencies, corporations, or other outside parties, in the solution of problems of mutual interest. The initiative for effecting such cooperative arrangements, including the establishment of grants-in-aid for the support of existing research work, may be assumed either by a college service or agency of the System or by an outside party.

b. In general, the results of investigations carried on by or under the direction of the research or teaching staffs of the System during the course of their regularly assigned duties shall become the property of the System and shall be so used and controlled as to produce the greatest benefit to the public and to the System.

c. Cooperative work with an outside party shall be conducted in accordance with the terms of a written memorandum of understanding or agreement. If the terms of the memorandum are in keeping with the general policy stated in paragraph (b) immediately above, the memorandum shall be approved by the President or Director of the part of the System concerned, and any gifts, grants, and loans involved reported by the President or Director to the Chancellor.

d. In those instances in which the interests of the public and the System can best be served by sharing the equity in the results, the provisions relating to finances, patents, publications, ownership of results and other necessary details shall be included in the applicable memorandum of understanding or agreement which shall be submitted for approval to the Chancellor by the President or Director of the part of the System concerned.

e. If the results expected from a cooperative undertaking are such that the outside party desires to use the name of the System or a part thereof in its advertising, provision for such use shall be included in the memorandum. Advertising referring to these results shall be so worded as not to imply the endorsement of a specific product or producer and shall reflect credit upon the System, its personnel and its activities.

3. Patents

a. In accordance with the general policy set forth in paragraph (b) of section 2, patentable discoveries arising in investigations conducted by, or under the direction of, the research or teaching staffs of the System are to be so used and controlled as to produce the greatest benefit to the public and the System.

b. In cooperative undertakings from which patentable discoveries may result, provision for the control of patents consistent with the general policy stated in paragraph (a) immediately above shall appear in the applicable memorandum of understanding or agreement. System employees working on a cooperative project shall agree to abide by the terms of the covering memorandum.

c. Patentable discoveries arising in investigations conducted by, or under the direction of, the research or teaching staffs of the System and with the expense paid from funds under the control of the System or under a cooperative arrangement which makes no definite provision for the ownership of patents shall become the property of the System and be so used and controlled as to produce the greatest benefit to the public and to the System. A staff member of any part of the System therefore who makes a patentable discovery or invention as the result of his regular duties on System time and at System expense may be required to patent his discovery or invention and assign it to the System, the expenses connected therewith to be borne by the System.

d. All System staff members shall transmit through normal channels to the President or Director of the part of the System concerned knowledge of any discoveries or inventions coming under the provisions of paragraph (c) immediately above. The President or Director shall then appoint a committee, which shall include the Comptroller of the System, to determine whether or not such discovery or invention, if patented, would be of value to the System; this committee shall not be responsible for investigating the patentability of the discovery or invention. Upon completion of its examination, this committee shall submit to the President or Director its recommendation

> (1) that a patent be applied for and assigned to the System by the inventor, expenses connected therewith to be borne by the System; or
>
> (2) that the System is not justified in bearing the expense of securing a patent and the inventor shall be released from any obligation to the System concerning the particular discovery under consideration.
>
> Upon receipt of the report of the committee, the President or Director shall transmit it to the Chancellor with recommendations. The Chancellor will make known the final decision to the inventor, the President or Director and the committee.
>
> e. Nothing in this regulation is intended to claim ownership or control of copyrights on books, or of inventions or discoveries made by members of the teaching or research staff outside of their regular duties and at their own expense.

Patent management agencies: the Texas A & M Research Foundation, an independent nonprofit corporation established 14 November 1944, and also Research Corporation under a patent development agreement with the Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized in accordance with the determination of the Committee on Patents and the recommendation of the President of the College to the Chancellor of the Texas Agricultural and Mechanical College System with respect to the disposition of inventions other than those which are the result of cooperative research and are subject to the terms of the applicable memoranda of understanding or agreement.

TEXAS CHRISTIAN UNIVERSITY

Fort Worth 29, Texas

No formalized research or patent policy; in general the University observes a laissez-faire attitude, except that, as a university-wide practice, all research grants and contracts are subject to review by the Dean of the Graduate School. No patent management agency.

TEXAS COLLEGE OF ARTS AND INDUSTRIES

Kingsville, Texas

Formalized research and patent policy, adopted 7 January 1960 by the Board of Directors of the College; applicable on a college-wide basis to both staff members and students:

> It shall be the policy of Texas College of Arts and Industries to cooperate whenever possible, within the limits of its means and responsibilities, with individuals, government agencies, corporations or other outside parties in the solution of problems of mutual interest. The initiative for effecting such cooperative arrangements, including the establishment of grants-in-aid for the support of a particular piece of work, may be assumed by the College or by an outside party.
>
> A written memorandum of understanding or agreement shall be made between the President of the College and the cooperating individual or agency which shall include a statement of estimated cost, the source of funds, and the disposition of results that may be derived from the cooperative experimental work involved. The cooperative work with an outside party shall be conducted in accordance

> with the terms of the written agreement. All grants, gifts and loans involved shall be reported by the President to the Board of Directors of the College.
>
> Inventions or other discoveries, whether or not subject to patent or copyright, resulting from a program of research financed entirely by Texas College of Arts and Industries in materials, equipment or personnel services, shall be the exclusive property of the College, and the College shall be entitled to all benefits or rights accruing from such inventions or discovery and may acquire the title to any patent or copyright based thereon.
>
> Inventions and discoveries produced by a staff member or student on time outside his duties as an employee of the College to which the College makes no contribution in the form of funds, space, facilities or time of staff members shall be the exclusive property of the individual producing the discovery.
>
> In cases where cost of the development is borne in whole or in part by an outside individual or industry, the ownership of the patent or copyright which may result from inventions and discoveries in connection with the research project shall be agreed upon and stipulated in the written agreement before the beginning of the work.
>
> Any person who believes that a discovery resulting from a research project sponsored by the College should be patented shall present the matter to an advisory committee consisting of faculty members appointed by the President of the College which will recommend whether or not the College shall prosecute a patent application on the discovery. If the committee recommends and the President approves that the College is not justified in bearing the expense of securing a patent or copyright, the discoverer shall be released from any obligation to the College concerning the ownership of the particular discovery under consideration.

No patent management agency; as indicated in the policy statement, the equities of inventors in their inventions are recognized.

TEXAS LUTHERAN COLLEGE

Seguin, Texas

No formalized research and patent policy, although a proposed policy to be applicable on a college-wide basis to all research subsidized either by outside sponsors or by the College and to be administered by a faculty Research Committee, has been formulated and will be presented for adoption by the Board of Regents of the College in January 1963; at present, as a general practice, each situation is considered on an individual basis.

No patent management agency other than the Board of Regents of the College; currently and under the proposed policy, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives 25% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

TEXAS TECHNOLOGICAL COLLEGE

Lubbock, Texas

No formalized research or patent policy, although the formulation of such a policy has been under discussion; sponsored research, including organized research financed by state-appropriated funds, is conducted under prescribed procedures administered by faculty research committees and is subject to approval by the Board of Directors of the College. No patent management agency.

TEXAS WESLEYAN COLLEGE

Fort Worth 5, Texas

No formalized research or patent policy; each situation is handled on an individual basis. No patent management agency.

UNIVERSITY OF HOUSTON

Houston 4, Texas

No formalized research or patent policy; as a general practice each situation is considered on its individual merits; inventions resulting from sponsored research are subject to the terms of the research contract; such research is usually conducted under the University of Houston Research Institute, an unincorporated nonprofit organization, established 1 October 1950 by the Board of Regents of the University. No patent management agency other than the Board of Regents of the University; unless specifically waived in advance, the equities of inventors in their inventions are recognized, as determined by the University Research Council.

UNIVERSITY OF TEXAS

Austin 12, Texas

Formalized research and patent policy, adopted 24 March 1946 by the Board of Regents of the University but currently under revision; applicable on a university-wide basis, including the Medical Branch located in Galveston, the Dental Branch and the Postgraduate School of Medicine located in Houston, Southwestern Medical School located in Dallas and Texas Western College located in El Paso:

> In the absence of a specific contract to the contrary, the following policy relating to patents shall obtain and be incorporated in employment agreements of faculty personnel and other employees.
>
> The title to a patent for any discovery or invention made by an employee of the University of Texas belongs to the said employee and he is free to develop or handle it in any manner he sees fit, subject to the following provisos:
>
>> (a) When total net royalties, or other compensations, are less than $1,000, no payment to the University is required.
>>
>> (b) When net royalties, or other compensations, amount to more than $1,000 and less than $5,000, ten per cent of the excess of such royalties or other compensations above the sum of $1,000 and less than $5,000 shall be paid to the University.
>>
>> (c) When net royalties, or other compensations, amount to more than $5,000, the royalty to be paid to the University shall be ten per cent on the amount above $1,000 and less than $5,000 and twenty per cent on all amounts above $5,000.

> (d) In cases where contributions have been, or may hereafter be made to research projects by private persons (such as in the case of the Schoch Electrical Discharge Process) nonexclusive licenses on all inventions or discoveries resulting from such research shall be issued on a reasonable royalty basis without discrimination in favor of or against those making contributions in aid of such research.

No patent management agency other than the Board of Regents of the University; except with respect to sponsored research where the specific terms or conditions of the research contract are observed, title to an invention is left to the inventor subject to the provisions of the policy statement indicated above.

Utah

BRIGHAM YOUNG UNIVERSITY

Provo, Utah

No formalized research or patent policy; as a general practice sponsored research is arranged with the assistance of the Director of Research and is subject to the approval of the President of the University; patentable inventions made by faculty members are handled in accordance with a patent development agreement the University has with Research Corporation.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF UTAH

Salt Lake City 1, Utah

Formalized research and patent policy, adopted 14 June 1944 by the Regents of the University; applicable on a university-wide basis; with respect to sponsored research for government or industry, which is handled through the Office of the Coordinator of Cooperative Research, the provisions of the research agreement or contract are observed and inventors engaged on such research are required to sign appropriate patent assignment agreements to enable the University to fulfill its obligations:

> Whenever any member of the staff making use of the laboratories or other facilities of the University shall make a discovery or invention or shall otherwise believe a valuable invention may result from his research, he shall communicate such fact to the executive head of his department or school, who upon investigation will notify the Patent Committee of the University as hereinafter provided. It shall be the duty of this Committee to examine into the nature of the discovery or invention. If in the opinion of the Committee a valuable invention has been made which should be protected by patent, the Committee shall so recommend to the President. Upon favorable action by the President and the written agreement of the patentee to assign such patents as he may obtain to the Uni-

> versity, patent counsel and other necessary expenses incident to securing letters patent shall be provided by the University or the University may, at its discretion, utilize for such purposes the facilities of Research Corporation or other suitable agencies.
>
> Staff members pursuing research work for the University may, as a condition to the grant of research funds and the use of University facilities, be required to sign an appropriate agreement granting to the University the rights to resulting patentable discoveries in return for a share in the royalties or other income.
>
> In the event that the University shall notify the expectant patentee that it does not desire to finance the application for letters patent, then he may proceed as he may see fit and shall be under no obligation to assign any interest in such patent as may result to the University.
>
> It shall be the right of the University in its discretion to so manage and exploit all patents assigned to it in the public interest and in such manner as to be consistent with the highest ideals and aims of, and to secure proper revenues to, the University. It shall assign the patent or grant licenses under it as will best protect the interests of the public and the University.
>
> Of the net royalties or other revenues received from patents by the University, 10% shall be paid to the patentee, except in cases where some other division of income is more appropriate. The remainder, after meeting all proper expenses, shall be allocated to the University Research Fund.
>
> A Patent Committee shall be appointed by the President. This Committee shall investigate all discoveries and inventions referred to it, shall appoint sub-committees of the staff to advise on technical phases of patent applications under consideration, shall consider the business aspects of such applications and shall report its recommendations to the President.

Patent management agency: Research Corporation, or other suitable agencies; as indicated in the policy statement above, the equities of the inventor in his invention are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the royalties or other revenues derived from the sale or exploitation of any patents obtained on his invention and the remainder, after meeting all proper expenses, is allocated to the University Research Fund for the furtherance of research within the University.

UTAH STATE UNIVERSITY

Logan, Utah

Formalized research and patent policy, adopted 16 September 1960 by the Board of Trustees of the University; applicable on a university-wide basis to faculty, staff and students receiving financial aid, including Snow College at Ephraim and the College of Southern Utah at Cedar City:

> 1. The purpose of the patent policy of Utah State University is to protect the interests of the inventor, the University and the public in inventions, discoveries or developments resulting from research supported by facilities and funds administered by the University.
>
> 2. The University reserves the right to determine the disposition of all inventions, discoveries and other developments resulting directly or indirectly from research supported wholly or in part by facilities and/or funds provided by the University or under control of the University. Students receiving financial aid from University funds or funds administered by the University shall be subject to the pro-

visions of the patent policy the same as members of the staff. An individual making such a discovery may be required to patent his discovery or invention and to assign the patent to the University, the expenses connected therewith to be borne by the University.

3. Inventions, discoveries or other developments which bear no relation to or are not made in consequence of a University program of research and which are made on the inventor's own time, without contribution of University facilities or funds or of time of other University employees, shall remain the exclusive property of the inventor producing the invention, discovery or development. The policy statement does not cover copyrights.

4. Inventions, discoveries and developments made in research at Utah State University sponsored by industrial corporations or other agencies may be patented and the disposition of the patent will be determined by the University unless other provisions are fixed by an agreement entered into with the cooperating agency before the research is undertaken.

5. Sponsors of research will under no circumstances use the name of the University in any advertisement, whether with reference to the cooperative agreement or any other matter, without the prior approval of the University.

6. Title to inventions made by persons in the employ of the University in which the University elects not to exercise its rights will revert to the inventor subject to retention by the University of the right to make, use or have the invention made or used for University purposes.

7. In the event royalties are received by the University from the use of a patent, the staff member making the discovery may receive not to exceed 15% of the gross return to the University.

8. In cases where no further use is found for an invention or if a sponsor or licensee finds it preferable to cease use of the invention, the University shall, on request of the inventor, return the legal rights of the invention to the inventor unencumbered.

9. The President shall appoint a Committee on Patents, composed of both faculty members and administrative officers, whose responsibility it shall be (a) to review the circumstances surrounding the making of the inventions, (b) to determine the respective equities of the inventors and of the University, also of outside parties in the case of inventions resulting from collaborative or sponsored research and (c) with respect to each invention, to make its recommendations to the President, for transmission by him to the Board of Trustees for final decision, on the disposition of rights in the invention and on the share, if any, the inventor(s) should receive from any return to the University from the commercial exploitation of the invention.

10. Inventions, discoveries and developments which are subject to the patent policy must be disclosed to the Committee on Patents in accordance with University instructions and procedures.

11. All recommendations on patents will be referred to the Board of Trustees for a final decision.

12. Net funds accruing to the University from patents will be used to support the general program of the University, with priority being given to research and graduate studies.

13. The University may designate agents to evaluate and manage its patents.

Patent management agencies: Research Corporation, under a patent development agreement with the University, and also the Utah Scientific Research Foundation, a separately incorporated nonprofit organization established 3 June 1944; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or to the Utah Scientific Research Foundation, the inventor receives not to exceed 15% of the gross return to the University from the sale or exploitation of patents obtained on the invention.

Vermont

MIDDLEBURY COLLEGE

Middlebury, Vermont

No formalized research or patent policy; as a general practice each situation is handled on an individual basis; sponsored research is arranged in accordance with prescribed procedures approved by the Board of Trustees of the College. No patent management agency.

NORWICH UNIVERSITY

Northfield, Vermont

Formalized research and patent policy, adopted 26 November 1956 by the Board of Trustees of the University and administered by a Patent and Copyright Committee; applicable on a university-wide basis, including the Vermont Bureau of Industrial Research, an unincorporated unit of the University established 1 July 1939 by legislative action to provide professional engineering assistance to Vermont industries:

> 1. Those whose work for Norwich University may involve patentable discoveries, including the staff of the Vermont Bureau of Industrial Research and its consultants, are asked to sign an agreement assigning rights in their inventions to the University, who will allow the inventor to share in any proceeds. Upon their report to the Committee, patentable inventions may be recommended to Research Corporation (a nonprofit patent development organization). Having approved, Research Corporation will seek a patent on the invention and will promote its development commercially, freeing both the inventor and the University of the usual costs and technical problems. The inventor will receive 15% of the gross income from the patent; the University and Research Corporation split the net remaining after deduction of expenses. In general, when derived from Bureau work, the University's share of any patent income shall go to increase the Bureau's services. If an invention is not submitted to Research Corporation or other development agency, the University will assume costs of patenting if approved by the President.
>
> 2. Patentable inventions produced apart from assigned duties at Norwich are entirely the property of the individuals who produced them. The Committee asks that it be made aware of patent applications in such cases and receive a copy of the patent when issued. If there be any University interest, it should be discussed and mutually agreed upon. The Committee may arrange for patenting and promotion of private inventions without cost to the owner through Research Corporation's services, if requested.

3. When the University has undertaken work, through the Vermont Bureau of Industrial Research or otherwise, in behalf of outside parties, the following provisions are made:

> Those inventions which affect the public health are dedicated to the public interest. In the discretion of the Committee, all other inventions will be considered individually and the rights of the outside party in each case will be determined by the Committee in the absence of contractual agreement thereupon. In some cases the Committee may request the outside party at the initiation of the work to enter into a contract setting forth the interest of the respective parties, e.g. where broad interests of the State and the public may be involved.
>
> The University of course has no claims whatsoever to inventions in work for an outsider when the latter is clearly the inventor. On the other hand, when the inventor is someone engaged by the University, the outside party may negotiate with the Committee to acquire an assignment of rights or a license to use the patent on mutually satisfactory terms and in accordance with provisions of the patent law. In such transactions the Committee will in general be guided by considerations of the public good. In case of a dispute, settlement should be by arbitration.
>
> The University in general reserves the right to publish its results when these are deemed of sufficient interest to the scientific world. In work with outside parties the latter are protected by preserving anonymity, delaying the issuance for a limited time and controlling the content of the publication as may be mutually agreed between the client and the Committee.

Patent management agency: Research Corporation under a patent development agreement with the University, both for the University and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF VERMONT

Burlington, Vermont

Formalized research and patent policy, adopted 15 August 1959 by the Board of Trustees of the University; arrangements for sponsored research are subject to approval of the Board of Trustees of the University after review by the director of the agricultural experiment station for the College of Agriculture, the assistant to the dean for the College of Medicine and the coordinator of research for the undergraduate and graduate colleges; applicable on a university-wide basis to faculty, staff and graduate student assistants under coordination of the University Committee on Research:

> All new appointees in class I, II and V (excluding undergraduate students) shall be required to report and assign to the University of Vermont or to the agency designated by the University any patentable invention made while employed at the University or within one year thereafter if the invention was conceived while in the employ of the University and was directly related to the official teaching, research or administrative responsibility of the employee.
>
> 1. The University has a contractual agreement with the Research Corpora-

tion concerning patents and recommends that rights to any invention be assigned to the Corporation.

2. Under this agreement the inventor is to receive 15% of the gross income from the patent received by the Research Corporation and the University and the Research Corporation will share equally in the net profits.

3. In the case of sponsored research, assignment of rights may be controlled by the terms of the contract or grant.

4. Where an invention is directly related to the inventor's official teaching, research and administrative responsibilities and the University has made substantial direct contribution to the invention, the University at its discretion and with prior agreement with the individual concerned may require that the rights to the invention be assigned to the Research Corporation.

5. If the Research Corporation does not accept the patent assignment, the University would reserve the choice of continuing to assist the staff member in obtaining a patent, in which case the inventor would receive 15% of the gross income received from the patent by the University and the University would receive the balance, or the University would release the rights to the inventor.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

Virginia

COLLEGE OF WILLIAM AND MARY

Williamsburg, Virginia

No formalized research or patent policy; as a general practice each situation is handled on an individual basis, but any income derived by a faculty member from patent rights resulting from research financed by or through the College shall be paid to the College up to the amount of the financing of the research. No patent management agency.

HAMPDEN-SYDNEY COLLEGE

Hampden-Sydney, Virginia

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

INSTITUTE OF TEXTILE TECHNOLOGY

Charlottesville, Virginia

No formalized research and patent policy; as a general practice each situation is handled on an individual basis; both staff members and graduate students are required to execute patent waiver agreements. No patent management agency other than the Institute management, subject to approval of the Board of Trustees.

MEDICAL COLLEGE OF VIRGINIA

Richmond, Virginia

Formalized research and patent policy, adopted 14 November 1952 by the Board of Visitors of the College; applicable on a college-wide basis:

> 1. When appropriate to do so the College will take steps to patent processes and products of its faculty and staff;
>
> 2. After review of the administrators and the Board of Visitors, recommendations for patents will be referred to the Medical College of Virginia Foundation which will secure, hold and manage patents, reporting from time to time to the Board of Visitors of the College;
>
> 3. In its capacity as the managing agent of the College for patents, the Foundation will deal directly with the staff member whose discovery or invention is or has been protected by a patent;
>
> 4. The Foundation will finance the cost of securing patents and in instances finance the development of the process or invention prior to filing an application for patent;
>
> 5. After financing the preliminary and patent costs it is recommended that the Foundation consider paying to the discoverer or inventor, whose work led to the patent concerned, an appropriate percentage of the net income derived from the patent process or invention.

Patent management agency: the Medical College of Virginia Foundation, a separately incorporated nonprofit organization established 28 January 1949 to aid, strengthen and extend the work, service and objectives of the College as described in the policy statement above; as indicated therein, the equities of inventors in their inventions are recognized and consideration will be given to the payment to the inventor of an appropriate percentage of the net income derived from the patented process or invention.

RANDOLPH-MACON COLLEGE

Ashland, Virginia

No formalized research or patent policy, although such a policy is currently in process of formulation; at present the College handles each situation on an individual basis. No patent management agency.

UNIVERSITY OF VIRGINIA

Charlottesville, Virginia

Formalized research and patent policy, approved 12 December 1960 by the President of the University; applicable on a university-wide basis to all faculty members, officials, other employees and students of the University:

> I. Purpose, coverage and objectives
>
> 1. The purpose of this statement is to establish the patent policy of the Univer-

sity with respect to inventions with which it may be concerned and to outline uniform procedure to be followed in seeking their patenting and development. It is intended that all provisions of this statement, whether relating to policy or procedure, shall be construed and administered in accordance with the research policy of the University which has been separately stated.

2. This statement covers all inventions made by a faculty member, official, employee or student of the University or made by any other person occupying a position which the University deems to be such as to make him a member of the academic community of the University, when the invention results from University research as herein defined. It also covers inventions that do not result from University research when any such invention is referred to the University for handling as hereinafter provided in section V.

For the purpose of administering this statement University research means any research supported by funds administered by the University or for which facilities operated or controlled by the University are used.

Although an invention may result from activities which fall within the above definition of University research, nevertheless, if it results from a project undertaken by the University pursuant to a contract between the University and an outside sponsor and during the effective period of such contract, the terms and conditions of that contract, instead of the provisions of this statement, will govern the handling of the invention and the rights of the parties interested. It is contemplated that all such contracts between the University and an outside sponsor of research will be made in accordance with the University's stated research policy. When, by the terms of a contract between the University and an outside sponsor of research, the University is given the right to elect whether or not it will take over an invention, or when the outside sponsor renounces any rights under the contract in favor of the University, in either such event, the invention will be handled by the contracting authorities of the University in accordance with the circumstances and merits of the individual case.

3. The principal objectives of this statement are:

(1) To adhere to the University's research policy in the administration of the policies and procedures set forth in this statement.

(2) To provide adequate recognition and incentive to inventive talent by securing to the inventor a just share of any proceeds from the development of his invention, and at the same time to recognize and protect the equity to which the University is entitled in inventions resulting from University research.

(3) To make inventions resulting from University research and other inventions handled through the University, as provided in section V, widely available to qualified users in the public interest under conditions calculated to promote their most effective development and utilization in the public interest, free from unnecessary exclusions or restrictions.

(4) To assure as far as practicable that funds accruing to the University from its equity in inventions which result from University research or from other inventions which may be handled through the University as hereinafter provided will be employed for the purpose of advancing and encouraging further research within the University.

II. University Patent Committee

The Patent Committee is a standing committee appointed by the President of the University to administer the policies and procedures established by this statement. Except as may be herein otherwise provided with respect to the referral of inventions to Research Corporation, the Patent Committee cannot commit the University to act, but can only recommend and report to the President of the University to whom it is responsible. Any contract or agreement to which the University is a party must be entered into on behalf of the University by its duly authorized contracting officials.

The Patent Committee has no authority initially to pass upon the propriety or acceptability of any research project or any contract tendered to the University by an outside sponsor of research. The Patent Committee will, however, investigate, report and make its recommendations on any specific questions referred to it by the President and relating to an invention or patent in which the University is interested, including questions that may arise from contracts for sponsored research.

III. Relations between the University and Research Corporation

Research Corporation (hereinafter referred to as Research) is a nonprofit foundation which distributes its total net income as grants-in-aid of research to colleges, universities and scientific institutions. As stated in its charter, it was established to receive and to acquire inventions and to render the same more available and effective in the useful arts, to provide means for the advancement of scientific investigation by contributing the net earnings of the corporation to scientific and educational institutions and to receive other monies and property and to apply the same to the objects specified.

In general, it is not the University's policy to take title to an invention or patent. The University has, however, entered into an agreement with Research whereby if the Patent Committee recommends the assignment of an invention to Research and it accepts this assignment, Research patents and commercializes the invention without expense to the inventor and agrees to pay a share of the gross income to the inventor. The net income from the invention, after the payment of the inventor's share and certain special expenses in connection with the invention, is shared between the University and Research. The University, in turn, is free to allocate its share of the net income received from Research for any purpose it deems advisable. In making such allocations, however, it is to be understood that preferential considerations will be given to requests from the school or department from which the invention arose.

IV. Relations between the University and faculty members, officials, employees and students and others; procedure

All faculty members, officials, employees and students of the University, in consideration of their association with the University and of their privilege of using funds administered and facilities controlled by it, agree to and shall handle all inventions and patents during such association and resulting therefrom as follows:

1. Every person covered by this statement shall promptly inform the Chairman of the Department in which he is conducting the research of any invention made by him during the progress of such research. If the Department Chairman is of the opinion that the invention resulted from University research or is doubtful as to whether or not it resulted from University research, he shall report the invention together with all pertinent information to the Patent Committee.

2. If the Patent Committee, after consultation with the Department Chairman and the inventor, finds that the invention resulted from University research, the Committee will submit the invention to Research for its consideration pursuant to the contract between the University and Research described in section III unless, because of extraordinary circumstances, the Committee further finds that the best interests of the University and the inventor require a different method

of handling the invention. The inventor shall furnish the Patent Committee with all necessary drawings and other pertinent data, to be forwarded to Research to enable that corporation to give full consideration to the merits of the invention.

3. If the Patent Committee finds that the invention did not result from University research, it will report the fact to the President of the University with the recommendation that the University, through its proper contracting officer, inform the inventor that the University has no interest in the invention.

4. If Research accepts an invention submitted to it by the University as herein provided, the inventor shall in accordance with the contract between the University and Research, execute all papers which may be necessary or appropriate to assign the invention to Research for handling on the terms set forth in the aforesaid contract.

5. When an invention resulting from University research is accepted by Research under its contract with the University, the inventor will receive 15% of the gross income accruing to Research from the invention. The University's share will be its percentage of the remaining net income pursuant to the terms of its contract with Research.

6. If an invention resulting from University research is submitted to Research but is not accepted by that corporation, the Patent Committee shall promptly notify the inventor and, after consultation with the inventor and his Department Chairman, shall report the matter to the President of the University with the Committee's recommendation either: (a) that the invention be relinquished to the inventor to be handled by him as he may see fit, free from any claim of the University, or (b) that the University and the inventor enter into an agreement for the assignment, patenting or licensing of the invention in such manner and upon such terms as will best promote and protect the interests of the inventor and the University, including the terms upon which any proceeds of the invention will be shared by them. If the Committee's recommendation to relinquish the invention to the inventor is accepted, the President or the authorized contracting officer of the University will so inform the inventor by appropriate letter. If the recommendation of the Committee to pursue the invention further as outlined in this paragraph is accepted, the inventor shall abide by the University's decision and shall execute all papers and instruments which may be necessary or appropriate to carrying that decision into effect.

7. If an invention resulting from University research is not submitted by the Patent Committee to Research for the reasons mentioned in paragraph 2 of this section, the subsequent procedure shall be the same as that prescribed in paragraph 6 of this section for inventions submitted to, but not accepted by, Research.

8. If a research unit exists independently of a department, reference herein made to the Chairman of the Department shall mean the administrative officer of the unit.

V. Privilege to refer inventions which do not result from University research

Any person covered by this statement may refer an invention made by him which did not result from University research to the Patent Committee with the request that it be submitted to Research pursuant to the contract between the University and that corporation. The Patent Committee shall thereupon forward a description of the invention and such other data as the inventor may provide to Research for its consideration. If the invention is accepted by Research, the inventor shall agree to execute all papers which may be required to assign the invention to Research in accordance with its contract with the University and to effectuate its handling of the invention. In such cases the inventor shall be entitled to whatever share he may specify of the gross income received by Research from the

> invention, not to exceed 40% thereof, and the University will inform Research accordingly. Any such amount in excess of 15% will be deducted from the University's share of the net proceeds to be received by it from Research. If Research does not accept an invention submitted to it under the terms of this section, the Patent Committee shall promptly so notify the inventor and he shall be free to handle the invention as he may see fit, free from any claims on behalf of the University.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions, under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the University, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on the invention, or not to exceed 40% when voluntarily assigned by the inventor.

VIRGINIA POLYTECHNIC INSTITUTE

Blacksburg, Virginia

Formalized research and patent policy, adopted 15 August 1950 by the Board of Visitors of the Institute; applicable on an institute-wide basis, including the Virginia Engineering Experiment Station:

> A. In case patents are to be secured as a result of any research paid for from State funds, negotiation for the development of any such patent shall be prosecuted with some existing private industry. Preference will be given to corporations having their manufacturing plants in Virginia or to Virginia-owned corporations. In the event of any patents secured, the corporation owning the patents shall recognize the rights of the Virginia Polytechnic Institute and the inventor and shall agree prior to the execution of the research to pay to the Virginia Polytechnic Institute and the inventor such share of the income from the patent rights as shall be agreed upon by the Board of Visitors of the Virginia Polytechnic Institute or its agent. Any division of proceeds from such patents between the Virginia Polytechnic Institute and the inventor will be fixed by the Board of Visitors of the Virginia Polytechnic Institute.
>
> B. In the case of patent rights that may result from research and investigation performed by the Station for private industry with private industry paying the cost, the industry in question shall secure the patent rights and before such patent rights are secured shall agree to some division of such receipts between the corporation and the Virginia Polytechnic Institute. The division of any such revenues between the Virginia Polytechnic Institute and the inventor shall be determined by the Board of Visitors of the Virginia Polytechnic Institute.
>
> C. Should research made for the Federal Government result in patent rights being secured, the rules and regulations of the Federal Government regarding such rights shall be the formula to be followed.
>
> In case in the attempt to secure patents no industry or agency of Government is interested in protecting its interest by securing a patent, and if the Virginia Polytechnic Institute is not interested in bearing its share of such expense, then it may assign to the inventor its claim to any interests if he desires to apply for a patent. In such case, however, inasmuch as the individual has been employed by the Virginia Polytechnic Institute, an agreement should be reached whereby the Institute is to receive some fair proportion of proceeds that may result from such patent rights.

Patent management agency: Research Corporation; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, the Board of Visitors of the Institute determines the division between the inventor and the Institute of any proceeds received from the sale or exploitation of patents obtained on inventions.

Washington

PACIFIC LUTHERAN UNIVERSITY

Tacoma 44, Washington

No formalized research or patent policy; as a general practice each situation is considered on an individual basis. No patent management agency.

SEATTLE PACIFIC COLLEGE

Seattle 99, Washington

No formalized research or patent policy; as a general practice, the College observes a laissez-faire attitude, although research activity is encouraged and facilitated on a campus-wide basis through the efforts of an Institute for Research, an unincorporated organization established in September 1959. No patent management agency.

SEATTLE UNIVERSITY

Seattle 22, Washington

No formalized research or patent policy, although the employment agreement signed by each employee of the University provides for the assignment of patent rights in any invention made during his employment and a sharing between the University and the inventor in the net income derived from the sale or exploitation of any patents obtained on the invention, the University retaining from 75% to 95% of the net income on a graduated scale. No patent management agency other than the Board of Trustees of the University.

UNIVERSITY OF PUGET SOUND

Tacoma 6, Washington

No formalized research or patent policy; as a general practice each situation is handled on an individual basis; sponsored research is administered through the University of Puget Sound Research Institute, a separately incorporated nonprofit organization established 14 March 1960. Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not to exceed 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF WASHINGTON

Seattle 5, Washington

Formalized research and patent policy, approved 10 January 1950 by the Board of Regents of the University; applicable on a university-wide basis, including the Applied Physics Laboratory, an integral unit of the University which is engaged largely in government sponsored research:

> 1. Equities. The principle is hereby recognized that there are usually three interests involved in connection with research work and invention performed in the University by or under the direction of the research and teaching staffs of the University. These three interests are the research worker or inventor, the University and the general public whose taxes and gifts support the University. If the research is financed wholly or in part by an outside agency, an additional interest exists.
>
> In general these interests are best served by immediate publication and dissemination of the results of the research. In some cases, however, the interests of all are best protected by patenting the discoveries and inventions resulting from the research.
>
> 2. Patents. Neither individuals nor universities ordinarily have the experience and resources for the preparation and prosecution of patent applications or for the exploitation of a patent once it is granted. Consequently the Foundation for Research at the University of Washington was established in 1945 as a nonprofit corporation primarily through alumni initiative to serve as an agency for the processing and exploitation of patents. Patentable research and invention shall be reported to a University Patent Committee which is advisory to the President of the University. If the results of a particular research are such as to warrant patenting, staff members shall be required to assign their rights to the Foundation, with the understanding that they will participate in the net profits derived from the exploitation of the patent.
>
> Research work financed wholly or in part by an outside sponsor comes under the special provisions of the contract covering such work. All staff members or employees engaged on such research work are bound by the provisions incorporated in the agreement covering the work.
>
> An invention in which the University has no vested interest, i.e., one which is developed by a faculty member on his own time and without the use of University facilities, may be voluntarily submitted by the faculty member to the Foundation for consideration as to its patentability and for subsequent processing and exploitation if accepted. In such case, the inventor will participate in the net profits derived from the patent on a basis mutually agreeable.
>
> If the Foundation decides not to undertake the patenting of an invention, the Foundation and the University shall then waive all rights to the invention and the inventor shall be free to take such steps as he may wish and at his own expense.

Patent management agency: Research Corporation, acting under contract in cooperation with the Foundation for Research at the University of Washington, a separately incorporated nonprofit organization established 27 March 1942 through alumni initiative to foster research activity at the University and to handle patents for the University; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation for Research at the University of Washington or to Research Corporation, the inventor participates in the net profits derived from the sale or exploitation of patents on his invention.

WALLA WALLA COLLEGE

College Place, Washington

No formalized research or patent policy; extramurally supported research may be conducted by a faculty member after consultation with his department head and approval of the President of the College, but the College observes a laissez-faire attitude with respect to discoveries and inventions resulting from such research. No patent management agency.

WASHINGTON STATE UNIVERSITY

Pullman, Washington

Formalized research and patent policy, originally adopted 14 July 1955 and revised 30 May 1960 by the Board of Regents of the University; research at the University is conducted in accordance with the recommendation of the University Research Committee to the President of the University and patent matters are referred to a Patent Committee for review and recommendation to the President of the University; applicable on a university-wide basis and all employees of the University accept as a condition of employment the terms and responsibilities of the policy and the requirement to report and assign their invention in accordance with a prescribed procedure:

> Categories. Research and development work conducted by members of the faculty, staff and students, which may result in patentable ideas, may be undertaken and accomplished as follows:
>
> > (1) Directed research projects financed by allocated research funds and under the direction of the director of an organized research unit.
> >
> > (2) Research projects prosecuted under contracts, memoranda of agreement, grants-in-aid or similar understandings with or to the State University.
> >
> > (3) Investigations undertaken by faculty, staff and students not included in (1) and (2) above.
>
> Assignment. Each employee, as a condition of employment, agrees to assign any and all patents which he may seek and/or obtain during such employment to (a) the State University or its assignee (s) or (b) the sponsoring agency as required under agreements governing the work.
>
> Each person further agrees to execute such documents of assignment at the time the patent application is forwarded to the U. S. Patent Office and subsequently do all things that may be reasonably required to assist all assignees in obtaining, protecting and maintaining such patent rights.
>
> Patent Committee. The Patent Committee is a standing committee, advisory to the President.
>
> All patent matters referred to the Committee will be considered promptly, and decisions will be rendered at the earliest possible time, and in all instances within two months of the date of receipt.
>
> The Committee will recommend to the President the disposition of patent matters which have been referred; usual alternatives are:
>
> > (1) Transmittal of the idea or invention to Research Corporation under provision of the master agreement between the State University and said corporation.

(2) Transmittal of the idea or invention to the sponsoring agency as may be required under the terms of the agreement governing the work.

(3) Return of the idea or invention to the person or persons from whom it has been received with the written opinion that it does not warrant further patent action by the State University and that the inventor is released from further responsibility to the State University with respect to that particular invention. Such decision may be because the idea does not appear to merit further action, or it may be because the matter may have been conceived and/or developed by the inventor separate and apart from his responsibilities to the State University and it is his property to handle entirely as he may choose.

(4) In the event that Research Corporation decides against a patent action, it shall be the responsibility of the Patent Committee upon consultation with the inventor(s) and the cognizant chairman/head and dean/director to advise the President concerning the following procedures:

(a) Patent action to be instituted by the State University.

(b) Exploration of possible interest by another outside agency to institute patent action.

(c) Return to the inventor(s) all rights with respect to that particular invention to handle as he may choose.

Division of income. As a matter of general policy, the discoverer of a successful invention should be rewarded at the time of annual review in the same manner as any other staff member is rewarded for meritorious service or exceptional performance of the duties for which he is employed. The inventor shall receive, in return for any letters patent which are issued and assigned to the State University or its patent management organization, $1.00 and other consideration.

Income derived from patents will be used for advancing the research activities of that unit of the State University responsible for such income, except that revenues clearly in excess of the reasonable needs for research in that unit shall be subject to reallocation by the Regents, on recommendation of the President.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor is rewarded at the time of annual review in the same manner as for any other meritorious service or exceptional performance.

WHITWORTH COLLEGE

Spokane 53, Washington

No formalized research or patent policy; as a general practice all research at the College is conducted in accordance with standard operating procedures under a faculty research committee. No patent management agency.

BETHANY COLLEGE

Bethany, West Virginia

No formalized research or patent policy; as a general practice each situation is handled on an individual basis, varying from project to project; on sponsored research projects patent rights are ordinarily assigned to sponsors. No patent management agency other than the Treasurer of the Board of Trustees of the College.

MARSHALL UNIVERSITY

Huntington 1, West Virginia

No formalized research or patent policy; as a general practice each situation is handled on an individual basis through a University Research Board, which is also administratively responsible for sponsored research. No patent management agency.

SALEM COLLEGE

Salem, West Virginia

No formalized research or patent policy, although the formulation of such a policy with respect to sponsored research is currently under consideration; at present each situation is handled on an individual basis, including research conducted cooperatively with West Virginia Research Center, a separately incorporated nonprofit research organization established in 1953.

No patent management agency other than the Board of Directors of the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives a share of the net income derived from the sale or exploitation of any patents obtained on the invention.

WEST VIRGINIA STATE COLLEGE

Institute, West Virginia

No formalized research or patent policy; each situation handled individually as determined by the West Virginia State Board of Education. No patent management agency.

WEST VIRGINIA UNIVERSITY

Morgantown, West Virginia

Formalized research and patent policy, adopted 30 May 1953 by the Board of Governors of the University, on recommendation of the University Senate Committee on Research and the University Committee on Sponsored Research; applicable on a university-wide basis:

1. The President shall appoint a Patent Committee of at least five members, a

majority of whom shall be from the teaching and/or research staffs of the University. This committee shall advise the President in the administration of the policy. However, at his discretion, the President may assign this function to some other established committee having membership requirements specified for the Patent Committee.

2. The agreement which it is recommended that the University make with Research Corporation should provide that a staff member of the University may agree to assign an invention to Research Corporation, with the understanding that Research Corporation, if it accepts the assignment, is to carry out the patenting and commercialization of the invention without any expense to the inventor; that Research Corporation is to pay the inventor a share (ordinarily fifteen per cent) of the gross income which Research Corporation receives from the invention; that the balance, after the expenses in connection with the patent have been met, is to be divided equally between the University and Research Corporation.

3. Any member of the staff of the University may bring any patentable invention or discovery of his to the Patent Committee for consideration.

4. When the question of the patenting of a particular invention is brought to the attention of the Patent Committee, the Committee will consider the soundness of the scientific basis of the invention and the advisability of patenting according to University policy. If the Committee reaches a negative conclusion, it will so advise the inventor and the President. If the Committee reaches a positive conclusion, or is in doubt, it will recommend that the President of the University refer the matter to Research Corporation to ascertain its opinion and whether Research Corporation desires to accept assignment of the invention. If Research Corporation is unwilling to accept such an assignment, the staff member offering the invention should be notified and the University relinquish all claim to it.

5. If a member of the staff of the University desires to obtain a patent on his own responsibility he may do so, whether he has consulted the Patent Committee or not, but he shall notify the Patent Committee of his action within sixty days after the date of application. The Committee may raise the question of whether the University has an equity in the proceeds of the invention either because work leading to the patent was done on University time or because University facilities were used. It is expected that the determination of the character and amount of the University's equity in any such invention will be established in a conference between the Patent Committee and the staff member or members concerned. It is expected that the same procedure will be followed in connection with any other question arising out of the patent policy. Decisions of the Patent Committee are to be referred to the President for appropriate action.

6. If two or more staff members together produce a patented invention or discovery, they shall share equitably the "inventor's share" of the proceeds of the patent.

7. The handling of inventions which grow out of contract research will be governed by the terms of the contracts; except that if the contract assigns resultant inventions to the University or does not specify their assignment, the patent policy of the University will apply.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share, ordinarily 15%, of the gross income accruing from the sale or exploitation of patents obtained on the invention.

INSTITUTE OF PAPER CHEMISTRY

Appleton, Wisconsin

Formalized research and patent policy, originally adopted 9 September 1935 and amended 13 May 1942 by the Board of Trustees of the Institute, which is affiliated with Lawrence College but fiscally and administratively independent; ordinarily patent rights to inventions resulting from sponsored research, except those relating to instrumentation and analytical and/or testing methods, are assigned to the sponsor; applicable to both staff and students of the Institute:

> All members of the student body and the staff are under agreements providing patent waiver to the Institute. In order that we may be alerted to any patentable inventions which may emanate from our own program, from cooperative research or from student work, members of the staff are requested to prepare invention records whenever a new or novel idea is discerned or conceived.
>
> In some instances it may not be desirable to translate an invention record into a formal patent application. Decision on such matters involves many ramifications of policy and each situation must be studied in its own light.
>
> In general, it may be said that the primary interest of the Institute in patents is to keep a given field of endeavor open to the Institute and its members for further exploration. In some instances, however, patents (aside from those developed in cooperative work) may be potential sources of institutional revenue. In these instances, it is important that the Institute's rights and prerogatives be adequately protected through proper records and intelligent implementation of patent applications.
>
> Often inventions may be jointly conceived by two or more members of the staff. In such cases, it is the institutional policy to give due credit to the cooperating parties. In no event should an invention record or a patent application be the source of competition among staff members, nor should it lead to internal secretiveness. Such a situation would be in direct contradiction to the goal of a staff comprised of people who work together congenially and with complete freedom in the exchange of ideas.

No patent management agency other than the Board of Trustees of the Institute; as indicated in the policy statement above, all members of the student body and staff of the Institute are required to sign patent waiver agreements assigning all inventions to the Institute.

LAWRENCE COLLEGE

Appleton, Wisconsin

No formalized research or patent policy; each situation is handled on an individual basis. No patent management agency.

MARQUETTE UNIVERSITY

Milwaukee 3, Wisconsin

No formalized research or patent policy, although the formulation of a university-wide policy is currently under study by the University Committee on Research; at present the University handles patents resulting from University-supported research; sponsored research is conducted in accordance with the terms of the research grant or contract; in the School of Medicine, which is a separate corporation and is not a part of the fiscal structure of the University, each situation is handled on an individual basis and in most instances faculty members turn over their patent rights to the School. No patent management agency other than the Boards of Trustees of the University and of the School of Medicine, although a patent development agreement with Research Corporation is currently being negotiated by the University.

MILWAUKEE SCHOOL OF ENGINEERING

Milwaukee 2, Wisconsin

No formalized research or patent policy; each situation is handled on an individual basis; sponsored research is conducted in accordance with the terms of the research contracts and employees engaged in such research are required to execute patent waiver agreements. No patent management agency.

UNIVERSITY OF WISCONSIN

Madison 6, Wisconsin

No formalized research or patent policy; as a general practice the University permits faculty and staff members to retain all patent rights in their inventions, except in sponsored research when proscribed by the terms of the research contracts.

Patent management agency: the Wisconsin Alumni Research Foundation, a separately incorporated nonprofit organization established 14 November 1925 to support and encourage research in the natural sciences at the University, both for the University and for faculty and staff members who may choose to voluntarily assign their patent rights to the Foundation.

Wyoming

UNIVERSITY OF WYOMING

Laramie, Wyoming

Formalized research and patent policy, adopted 25 September 1948 by the Board of Trustees of the University; administered by a University Committee on Patents and Copyrights responsible to the President of the University; applicable on a university-wide basis, including the Natural Resources Research Institute, an unincorporated nonprofit unit of the University established in January 1943, by state statute, to aid in the industrialization of Wyoming and to stimulate research at the University:

> The general and administrative policy of the University with respect to inventions patentable by members of the University staff shall be as follows:

1. Differentiation shall be made with respect to patents based upon (a) personal research, (b) institutionally authorized research supported in whole or in part by or through the University and (c) research sponsored by an outside agency with which the University has a contract covering rights in patentable inventions.

2. This policy shall be administered by a Committee on Patents responsible to the President. The committee shall be constituted as follows: the Business Manager of the University, the Dean of the Graduate School, the Director of each of the formally organized research institutes, bureaus or stations and not more than three members of the faculty or staff appointed by the President.

3. The Committee on Patents shall have authority:

   a. To receive and consider applications from staff members desiring to secure patents at University expense and with University participation in profits and control.

   b. To appoint subcommittees of the University staff to advise on technical phases of patent applications under consideration.

   c. To consider the business aspects of such applications.

   d. To consider and recommend to the President agreements covering licensing under patents secured and assigned to the University.

   e. To consider and recommend the selection of a patent counsel for the University to make formal applications for patents.

   f. To determine the respective interests and rights of the University and the individual in the invention.

   g. To consider and recommend to the President agreements with faculty and staff members relative to the percentage of income to be received by the individual inventor and relative to the assignment of patents by the faculty and staff members to the University.

4. Copyrights secured in connection with the publication of the results of research financed by University funds and the royalties derived therefrom shall be owned as agreed in each instance between the research investigator and the authorities in charge of the administration of the research funds.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; the University Committee on Patents and Copyrights determines the respective rights of all parties concerned and the disposition of patent rights and recommends to the President of the University the percentage of income to be received by the inventor from the sale or exploitation of patents obtained on his invention.

NO POLICY AND LITTLE OR NO RESEARCH

The following 596 institutions have indicated that they perform little or no scientific or technological research and that they have neither formalized research or patent policies nor generally accepted practices for handling new discoveries, inventions or patents resulting from research conducted by their faculty or staff members.

In certain of these institutions provision is made to reduce the teaching loads of faculty members engaged in approved research and to furnish them student assistance and financial aid for the purchase of equipment and materials. Where such research is performed, some of these institutions have more or less prescribed procedures for administering and conducting the research. Most of these institutions, however, observe a laissez-faire or hands-off attitude, leaving their faculty and staff members complete freedom to perform research under individually arranged grants and contracts, including research performed in a consulting capacity, usually after discussing and clearing those arrangements with their department heads and deans.

The current survey has stimulated a number of these institutions to give consideration to the formulation of definitive research and patent policies and they have reported that faculty, administration and trustee committees currently have the matter under study. However, as of July 1962 none of these studies has eventuated in the formulation and adoption of a formalized policy.

Alabama

Alabama Agricultural and Mechanical College
Alabama College
Athens College
Birmingham-Southern College
Florence State College
Huntingdon College
Jacksonville State College
Livingston State College
Stillman College
Troy State College

Arkansas

Agricultural, Mechanical and Normal College
Arkansas College
Arkansas Polytechnic College

Arkansas (cont)

Arkansas State College
Arkansas State Teachers College
Hendrix College
Little Rock University
Ouachita Baptist College
Philander Smith College
Southern State College

California

Alameda State College
Armstrong College
Azusa College
California Podiatry College
California State Polytechnic College
California Western University
Chico State College
Claremont Men's College

California (cont)

Claremont University College
Fresno State College
Golden Gate College
Humboldt State College
Immaculate Heart College
La Sierra College
La Verne College
Long Beach State College
Los Angeles State College of Applied Arts and Sciences
Mills College
Mount St. Mary's College
Pacific Union College
Pomona College
Sacramento State College
Saint Mary's College
San Diego College for Women
San Diego State College
San Fernando Valley State College
San Francisco State College
San Jose State College
San Luis Rey College
Scripps College
University of Redlands
University of San Diego
University of Santa Clara
Upland College
Westmont College
Whittier College
Woodbury College

Colorado

Colorado College
Colorado State College
Regis College
Western State College of Colorado

Connecticut

Albertus Magnus College
Central Connecticut State College
Connecticut College
Danbury State College
New Haven College
Quinnipiac College
Saint Joseph College
Trinity College

District of Columbia

District of Columbia Teachers College
Dunbarton College of Holy Cross
Trinity College
Washington School of Psychiatry

Florida

Barry College
Bethune-Cookman College
Florida Agricultural and Mechanical University
University of Tampa

Georgia

Agnes Scott College
Albany State College
Berry College
Brenau College
Clark College
Fort Valley State College
Georgia Southern College
Georgia State College
La Grange College
Mercer University
Morehouse College
North Georgia College
Oglethorpe University
Savannah State College
Tift College
Wesleyan College
Woman's College of Georgia

Idaho

Northwest Nazarene College

Illinois

Aurora College
Blackburn College
Bradley University
Carthage College
Chicago College of Chiropody and Pedic Surgery
Chicago Teachers College
Chicago Technical College
College of St. Francis
Eastern Illinois University
Elmhurst College
Eureka College
George Williams College
Illinois College
Illinois College of Optometry
Illinois State Normal University
Illinois Wesleyan University
Knox College
Lake Forest College
Lewis College
MacMurray College
Millikin University

Illinois (cont)

Mundelein College
North Central College
North Park College
Northern Illinois University
Olivet Nazarene College
Rockford College
Roosevelt University
Rosary College
St. Procopius College
St. Xavier College
Wheaton College

Indiana

Bethel College
Concordia Senior College
Earlham College
Goshen College
Hanover College
Indiana Central College
Indiana State College
Indiana Technical College
Manchester College
Marian College
Marion College
St. Benedict College
Saint Francis College
St. Mary-of-the-Woods College
St. Mary's College
Taylor University
Tri-State College
Wabash College

Iowa

Briar Cliff College
Buena Vista College
Central College
Cornell College
Graceland College
Iowa Wesleyan College
Loras College
Luther College
Morningside College
Mount Mercy College
Simpson College
State College of Iowa
Upper Iowa University
Westmar College
William Penn College

Kansas

Baker University
Bethany College

Kansas (cont)

College of Emporia
Fort Hays Kansas State College
Friends University
Kansas State College of Pittsburg
Kansas State Teachers College
Kansas Wesleyan University
Marymount College
McPherson College
Mount St. Scholastica College
Ottawa University
Sacred Heart College
St. Benedict's College
Saint Mary College
Washburn University of Topeka

Kentucky

Asbury College
Bellarmine College
Berea College
Eastern Kentucky State College
Georgetown College
Kentucky Wesleyan College
Morehead State College
Murray State College
Nazareth College
Pikeville College
Transylvania College
Union College
Ursuline College
Villa Madonna College
Western Kentucky State College

Louisiana

Centenary College
Dillard University
Grambling College
McNeese State College
Northwestern State College of Louisiana
Southeastern Louisiana College

Maine

Aroostook State Teachers College
Bates College
Bowdoin College
Colby College
Farmington State Teachers College
Gorham State Teachers College
Nasson College
St. Joseph's College

Maryland

College of Notre Dame of Maryland
Columbia Union College
Goucher College
Hood College
Morgan State College
Mount Saint Agnes College
Mount St. Mary's College
St. John's College
St. Joseph College
St. Mary's University
State Teachers College, Frostburg
State Teachers College at Towson
University of Baltimore
Washington College
Western Maryland College

Massachusetts

American International College
Anna Maria College for Women
Bradford Durfee College of Technology
Brandeis University
Eastern Nazarene College
Emmanuel College
Massachusetts College of Optometry
Massachusetts College of Pharmacy
Massachusetts Maritime Academy
Merrimack College
Mount Holyoke College
Simmons College
Smith College
State College at Boston
State College at Bridgewater
State College at Fitchburg
State College at Framingham
State College at Lowell
State College at North Adams
State College at Salem
State College at Worcester
Stonehill College
Suffolk University
Wellesley College
Western New England College

Michigan

Adrian College
Alma College
Aquinas College
Eastern Michigan University
Ferris Institute
Hillsdale College
Hope College

Michigan (cont)

Kalamazoo College
Lawrence Institute of Technology
Northern Michigan College

Minnesota

Augsburg College
Bemidji State College
College of St. Catherine
College of St. Thomas
Concordia College
Hamline University
Macalester College
Mankato State College
Moorhead State College
St. Cloud State College
St. John's University
St. Mary's College

Mississippi

Alcorn Agricultural and Mechanical College
Delta State College
Jackson State College
Mississippi College
Mississippi Southern College
Mississippi Vocational College

Missouri

Central Missouri State College
Culver-Stockton College
Drury College
Evangel College
Fontbonne College
Harris Teachers College
Kansas City College of Osteopathy and Surgery
Lincoln University
Lindenwood College for Women
Missouri Valley College
Northeast Missouri State Teachers College
Northwest Missouri State College
Park College
Rockhurst College
St. Louis College of Pharmacy and Allied Sciences
Southeast Missouri State College
Southwest Missouri State College
Tarkio College
Westminster College
William Jewell College

Montana

Carroll College
College of Great Falls
Western Montana College of Education

Nebraska

Concordia Teachers College
Dana College
Doane College
Hastings College
Midland College
Municipal University of Omaha
Nebraska State Teachers College, Chadron
Nebraska State Teachers College, Kearney
Nebraska State Teachers College, Wayne
Nebraska Wesleyan University
Union College

New Hampshire

Keene Teachers College
New England College
Plymouth Teachers College
Rivier College
St. Anselm's College

New Jersey

Drew University
Glassboro State College
Jersey City State College
Monmouth College
Montclair State College
Newark State College
Paterson State College
Rider College
St. Peter's College
Trenton State College
Upsala College

New Mexico

Eastern New Mexico University
New Mexico Western College

New York

Bank Street College of Education
Bard College
Canisius College

New York (cont)

Colgate University
College of Mount St. Vincent
College of Saint Rose
Cooper Union
Dominican College of Blauvelt
Elmira College
Hamilton College
Hobart and William Smith Colleges
Hofstra College
Houghton College
Iona College
Ithaca College
Keuka College
King's College
LeMoyne College
Manhattanville College of the Sacred Heart
Marist College
Maryknoll Teachers College
Marymount College
Mills College of Education
Molloy Catholic College for Women
Nazareth College
Pace College
Rosary Hill College
Russell Sage College
St. Francis College
St. Joseph's College for Women
St. Lawrence University
St. Thomas Aquinas College
Sarah Lawrence College
Skidmore College
Vassar College
Wagner College
Webb Institute of Naval Architecture

North Carolina

Agricultural and Technical College of North Carolina
Appalachian State Teachers College
Atlantic Christian College
Bennett College
Catawba College
Davidson College
East Carolina College
Elizabeth City State Teachers College
Elon College
Greensboro College
Guilford College
High Point College
Lenoir-Rhyne College
Livingstone College
Meredith College

North Carolina (cont)

North Carolina College at Durham
Pfeiffer College
St. Andrews Presbyterian College
Salem College
Western Carolina College

North Dakota

State Teachers College, Ellendale
State Teachers College, Minot

Ohio

Ashland College
The Athenaeum of Ohio
Baldwin-Wallace College
Capital University
College of St. Mary of the Springs
College of Steubenville
Denison University
Franklin University
Mary Manse College
Mount Union College
Notre Dame College
Oberlin College
Ohio College of Chiropody
Otterbein College
St. John College of Cleveland
Western College for Women
Wilmington College

Oklahoma

Benedictine Heights College
East Central State College
Langston University
Northeastern State College
Northwestern State College
Oklahoma Baptist University
Oklahoma City University
Oklahoma College for Women
Panhandle Agricultural and Mechanical College
Phillips University
Southwestern State College

Oregon

Marylhurst College
Mount Angel College
Pacific University
Willamette University

Pennsylvania

Albright College
Alliance College
Beaver College
Bloomsburg State College
California State College
Cedar Crest College
Chestnut Hill College
Cheyney State College
Clarion State College
College Misericordia
Dickinson College
East Stroudsburg State College
Edinboro State College
Elizabethtown College
Gannon College
Geneva College
Gettysburg College
Grove City College
Haverford College
Immaculata College
Indiana State College
Kutztown State College
Lafayette College
Lebanon Valley College
Lock Haven State College
Lycoming College
Mansfield State College
Marywood College
Mercyhurst College
Messiah College
Millersville State College
Moore Institute of Art, Science and Industry
Moravian College
Mount Mercy College
Pennsylvania State College of Optometry
Philadelphia College of Osteopathy
St. Francis College
St. Joseph's College
St. Vincent College
Seton Hill College
Shippensburg State College
Slippery Rock State College
Susquehanna University
Swarthmore College
Thiel College
University of Scranton
Ursinus College
Villanova University
Washington and Jefferson College
Waynesburg College
West Chester State College
Wilkes College
Wilson College

Puerto Rico

Catholic University of Puerto Rico

Rhode Island

Bryant College
Catholic Teachers College
Rhode Island College
Rhode Island School of Design

South Carolina

Allen University
The Citadel
Coker College
College of Charleston
Columbia College
Converse College
Erskine College
Furman University
Morris College
Newberry College
Presbyterian College
South Carolina State College
Winthrop College

South Dakota

Augustana College
Black Hills Teachers College
General Beadle State Teachers College
Huron College
Northern State Teachers College
Sioux Falls College
Southern State Teachers College
Yankton College

Tennessee

Austin Peay State College
Bethel College
Carson-Newman College
David Lipscomb College
George Peabody College for Teachers
King College
Knoxville College
Lambuth College
Lincoln Memorial University
Madison College
Maryville College
Memphis State University
Middle Tennessee State College
Milligan College
Southern College of Optometry
Southern Missionary College

Tennessee (cont)

Tennessee Agricultural and Industrial State University
Tusculum College
Union University
University of Chattanooga
University of the South

Texas

Abilene Christian College
Austin College
East Texas Baptist College
Hardin-Simmons University
Howard Payne College
Incarnate Word College
McMurry College
Midwestern University
Pan American College
St. Mary's University of San Antonio
Sam Houston State Teachers College
Southern Methodist University
Southwest Texas State College
Southwestern University
Stephen F. Austin State College
Sul Ross State College
Texas College
Texas Southern University
Trinity University
Wayland Baptist College
West Texas State College
Wiley College

Utah

Westminster College

Vermont

Bennington College
Castleton State College
Goddard College
Johnson State Teachers College
Lyndon Teachers College
Marlboro College
St. Michael's College

Virginia

Bridgewater College
Eastern Mennonite College
Hampton Institute
Hollins College
Longwood College
Lynchburg College

Virginia (cont)

Madison College
Mary Baldwin College
Old Dominion College
Randolph-Macon Woman's College
Richmond Professional Institute
Roanoke College
Sweet Briar College
University of Richmond
Virginia Military Institute
Virginia State College
Virginia Union University
Washington and Lee University

Washington

Central Washington State College
Eastern Washington State College
Whitman College

West Virginia

Bluefield State College
Concord College
Davis and Elkins College
Fairmont State College
Glenville State College
Morris Harvey College

West Virginia (cont)

Shepherd College
West Liberty State College
West Virginia Institute of Technology
West Virginia Wesleyan College

Wisconsin

Alverno College
Beloit College
Cardinal Stritch College
Carroll College
Lakeland College
Milton College
Milwaukee-Downer College
Mount Mary College
Ripon College
St. Norbert College
Stout State College
Viterbo College
Wisconsin State College, Eau Claire
Wisconsin State College, La Crosse
Wisconsin State College, Oshkosh
Wisconsin State College, Stevens Point
Wisconsin State College, Superior
Wisconsin State College, Whitewater
Wisconsin State College and Institute of Technology

ALPHABETICAL INDEX OF INSTITUTIONS

Abilene Christian College, 281
Adams State College, 67
Adelphi College, 172
Adrian College, 278
Advanced Study, Institute for, 159
Agnes Scott College, 276
Agricultural and Mechanical College of Texas, 250
Agricultural, Mechanical and Normal College, 275
Agricultural and Technical College of North Carolina, 279
Akron, University of, 210
Alabama Agricultural and Mechanical College, 275
Alabama College, 275
Alabama, University of, 50
Alameda State College, 275
Alaska, University of, 51
Albany Medical College (under Union College, NY), 196
Albany State College, 276
Albert Einstein College of Medicine, 172
Albertus Magnus College, 276
Albion College, 137
Albright College, 280
Alcorn Agricultural and Mechanical College, 278
Alfred University, 173
Allegheny College, 227
Allen University, 281
Alliance College, 280
Alma College, 278
Alverno College, 282
American International College, 278
American University, 80
Amherst College, 127
Anna Maria College for Women, 278
Antioch College, 204
Appalachian State Teachers College, 279
Aquinas College, 278
Arizona State College, 51
Arizona State University, 51
Arizona, University of, 52
Arkansas Agricultural and Mechanical College, 54
Arkansas College, 275
Arkansas Polytechnic College, 275
Arkansas State College, 275
Arkansas State Teachers College, 275
Arkansas, University of, 54
Arlington State College (under Texas Agricultural and Mechanical College System), 250
Armstrong College, 275
Aroostook State Teachers College, 277
Asbury College, 277
Ashland College, 280
Athenaeum of Ohio, The, 280
Athens College, 275
Atlanta University, 87
Atlantic Christian College, 279
Auburn University, 48
Augsburg College, 278
Augustana College (Ill), 92
Augustana College (SD), 281
Aurora College, 276
Austin College, 281
Austin Peay State College, 281
Azusa College, 275

Baker University, 277
Baldwin-Wallace College, 280
Ball State Teachers College, 101
Baltimore, University of, 278
Bank Street College of Education, 279
Bard College, 279
Barry College, 276
Bates College, 277
Baylor University, 249
Beaver College, 280
Bellarmine College, 277
Beloit College, 282
Bemidji State College, 278
Benedictine Heights College, 280
Bennett College, 279
Bennington College, 281
Berea College, 277
Berry College, 276
Bethany College (Kan), 277
Bethany College (W Va), 270
Bethel College (Ind), 277
Bethel College (Tenn), 281
Bethune-Cookman College, 276
Birmingham-Southern College, 275
Blackburn College, 276
Black Hills Teachers College, 281
Bloomsburg State College, 280
Bluefield State College, 282
Boston College, 127
Boston, State College at, 278
Boston University, 127
Bowdoin College, 277
Bowling Green State University, 204
Bowman-Gray School of Medicine (under Wake Forest College), 202
Bradford Durfee College of Technology, 278
Bradley University, 276
Brandeis University, 278
Brenau College, 276

Briar Cliff College, 277
Bridgeport, University of, 74
Bridgewater College, 281
Bridgewater, State College at, 278
Brigham Young University, 255
Brooklyn College, 173
Brooklyn, Polytechnic Institute of, 186
Brown University, 240
Bryant College, 281
Bryn Mawr College, 227
Bucknell University, 227
Buena Vista College, 277
Buffalo, University of, 196
Butler University, 101

California College of Medicine, 55
California Institute of Technology, 55
California Podiatry College, 275
California State College, 280
California State Polytechnic College, 275
California, University of, 62
California Western University, 275
Calvin College, 137
Canisius College, 279
Capital University, 280
Cardinal Stritch College, 282
Carleton College, 141
Carnegie Institute of Technology, 228
Carroll College (Mont), 279
Carroll College (Wis), 282
Carson-Newman College, 281
Carthage College, 276
Case Institute of Technology, 204
Castleton State College, 281
Catawba College, 279
Catholic Teachers College, 281
Catholic University of America, 80
Catholic University of Puerto Rico, 281
Cedar Crest College, 280
Centenary College, 277
Central College, 277
Central Connecticut State College, 276
Central Michigan University, 137
Central Missouri State College, 278
Central State College (Ohio), 205
Central State College (Okla), 218
Central Washington State College, 282
Centre College of Kentucky, 115
Chadron, Nebraska State Teachers College, 279
Chapman College, 58
Charleston, College of, 281
Chatham College, 230
Chattanooga, University of, 281
Chestnut Hill College, 280
Cheyney State College, 280
Chicago College of Chiropody and Pedic Surgery, 276
Chicago College of Osteopathy, 92
Chicago Medical School, 92
Chicago Teachers College, 276
Chicago Technical College, 276
Chicago, University of, 97
Chico State College, 275
Cincinnati, University of, 212
Citadel, The, 281
City College, The (NY), 173
Claremont Men's College, 275
Claremont University College, 276
Clarion State College, 280
Clark College, 276
Clark University, 128
Clarkson College of Technology, 174
Clemson College, 243
Coe College, 107
Coker College, 281
Colby College, 277
Colgate University, 279
Colorado College, 276
Colorado School of Mines, 67
Colorado State College, 276
Colorado State University, 69
Colorado, University of, 71
Columbia College, 281
Columbia Union College, 278
Columbia University, 175
Concord College, 282
Concordia College, 278
Concordia Senior College, 277
Concordia Teachers College, 279
Connecticut College, 276
Connecticut, University of, 74
Converse College, 281
Cooper Union, 279
Cornell College, 277
Cornell University, 177
Creighton University, 156
Culver-Stockton College, 278

Dana College, 279
Danbury State College, 276
Dartmouth College, 157
David Lipscomb College, 281
Davidson College, 279
Davis and Elkins College, 282
Dayton, University of, 214
Delaware, University of, 79
Delta State College, 278
Denison University, 280
Denver, University of, 72
DePaul University, 92
DePauw University, 101
Detroit Institute of Technology, 137
Detroit, University of, 139
Dickinson College, 280
Dillard University, 277
District of Columbia Teachers College, 276
Doane College, 279
Dominican College of Blauvelt, 279
Downstate Medical Center (under State University of New York), 191
Drake University, 107
Drew University, 279
Drexel Institute of Technology, 230

Drury College, 278
Dubuque, University of, 112
Duke University, 199
Dunbarton College of Holy Cross, 276
Duquesne University, 231

Earlham College, 277
East Carolina College, 279
East Central State College, 280
Eastern Illinois University, 276
Eastern Kentucky State College, 277
Eastern Mennonite College, 281
Eastern Michigan University, 278
Eastern Montana College of Education, 153
Eastern Nazarene College, 278
Eastern New Mexico University, 279
Eastern Oregon College, 223
Eastern Washington State College, 282
Eastman Dental Dispensary, 180
East Stroudsburg State College, 280
East Tennessee State College, 246
East Texas Baptist College, 281
East Texas State College, 249
Eau Claire, Wisconsin State College, 282
Edinboro State College, 280
Elizabeth City State Teachers College, 279
Elizabethtown College, 280
Ellendale State Teachers College, 280
Elmhurst College, 276
Elmira College, 279
Elon College, 279
Emmanuel College, 278
Emory University, 87
Emporia, College of, 277
Erskine College, 281
Eureka College, 276
Evangel College, 278
Evansville College, 101

Fairfield University, 73
Fairleigh Dickinson University, 159
Fairmont State College, 282
Farmington State Teachers College, 277
Fenn College, 205
Ferris Institute, 278
Findlay College, 206
Fisk University, 247
Fitchburg, State College at, 278
Florence State College, 275
Florida Agricultural and Mechanical University, 276
Florida Southern College, 83
Florida State University, 83
Florida, University of, 84
Fontbonne College, 278
Fordham University, 180
Fort Hays Kansas State College, 277
Fort Valley State College, 276
Framingham, State College at, 278
Franklin and Marshall College, 231
Franklin College (Ind), 101
Franklin University, 280
Fresno State College, 276
Friends University, 277
Frostburg State Teachers College, 278
Furman University, 281

Gallaudet College, 80
Gannon College, 280
General Beadle State Teachers College, 281
General Motors Institute, 137
Geneva College, 280
George Peabody College for Teachers, 281
Georgetown College, 277
Georgetown University, 80
George Washington University, 82
George Williams College, 276
Georgia Institute of Technology, 87
Georgia Southern College, 276
Georgia State College, 276
Georgia, University of, 88
Georgia, Woman's College of, 276
Gettysburg College, 280
Glassboro State College, 279
Glenville State College, 282
Goddard College, 281
Golden Gate College, 276
Gorham State Teachers College, 277
Goshen College, 277
Goucher College, 278
Graceland College, 277
Grambling College, 277
Great Falls, College of, 279
Greensboro College, 279
Grinnell College, 107
Grove City College, 280
Guilford College, 279
Gustavus Adolphus College, 141

Hahnemann Medical College, 231
Hamilton College, 279
Hamline University, 278
Hampden-Sydney College, 260
Hampton Institute, 281
Hanover College, 277
Hardin-Simmons University, 281
Harding College, 54
Harpur College (under State University of New York), 191
Harris Teachers College, 278
Hartford, University of, 76
Hartwick College, 181
Harvard University, 128
Harvey Mudd College, 58
Hastings College, 279
Haverford College, 280
Hawaii, University of, 90
Heidelberg College, 206
Hendrix College, 275
High Point College, 279
Hillsdale College, 278
Hillyer College (under University of Hartford), 76

Hiram College, 206
Hobart and William Smith Colleges, 279
Hofstra College, 279
Hollins College, 281
Holy Cross, College of the, 128
Hood College, 278
Hope College, 278
Houghton College, 279
Houston, University of, 254
Howard College, 49
Howard Payne College, 281
Howard University, 82
Humboldt State College, 276
Hunter College, 181
Huntingdon College, 275
Huron College, 281

Idaho, The College of, 90
Idaho State College, 90
Idaho, University of, 90
Illinois College, 276
Illinois College of Optometry, 276
Illinois Institute of Technology, 93
Illinois State Normal University, 276
Illinois, University of, 98
Illinois Wesleyan University, 276
Immaculata College, 280
Immaculate Heart College, 276
Incarnate Word College, 281
Indiana Central College, 277
Indiana State College (Ind), 277
Indiana State College (Pa), 280
Indiana Technical College, 277
Indiana University, 101
Institute of Advanced Study, 159
Institute of Microbiology (under Rutgers, The State University), 164
Institute of Paper Chemistry, 272
Institute of Textile Technology, 260
Iona College, 279
Iowa, State College of, 277
Iowa State University, 107
Iowa, State University of, 110
Iowa Wesleyan College, 277
Ithaca College, 279

Jackson State College, 278
Jacksonville State College, 275
Jacksonville University, 83
Jefferson Medical College, 232
Jersey City State College, 279
John Carroll University, 206
Johns Hopkins University, The, 124
Johnson C. Smith University, 199
Johnson State Teachers College, 281
Juniata College, 232

Kalamazoo College, 278
Kansas City College of Osteopathy and Surgery, 278
Kansas City, University of, 149
Kansas State College of Pittsburg, 277
Kansas State Teachers College, 277
Kansas State University, 113
Kansas, University of, 114
Kansas Wesleyan University, 277
Kearney, Nebraska State Teachers College, 279
Keene Teachers College, 279
Kent State University, 206
Kentucky, University of, 115
Kentucky Wesleyan College, 277
Kenyon College, 208
Keuka College, 279
King College, 281
King's College (NY), 279
King's College (Pa), 233
Kirksville College of Osteopathy and Surgery, 148
Knox College, 276
Knoxville College, 281
Kutztown State College, 280

La Crosse, Wisconsin State College, 282
Lafayette College, 280
La Grange College, 276
Lake Forest College, 276
Lakeland College, 282
Lamar State College of Technology, 249
Lambuth College, 281
Langston University, 280
La Salle College, 233
La Sierra College, 276
La Verne College, 276
Lawrence College, 272
Lawrence Institute of Technology, 278
Lebanon Valley College, 280
Lehigh University, 233
Le Moyne College, 279
Lenoir-Rhyne College, 279
Lewis and Clark College, 223
Lewis College, 276
Lincoln Memorial University, 281
Lincoln University (Mo), 278
Lincoln University (Pa), 234
Lindenwood College for Women, 278
Linfield College, 223
Little Rock University, 275
Livingston State College, 275
Livingstone College, 279
Lock Haven State College, 280
Loma Linda University, 58
Long Beach State College, 276
Long Island Center (under State University of New York), 191
Long Island University, 181
Longwood College, 281
Loras College, 277
Los Angeles College of Optometry, 59
Los Angeles State College of Applied Arts and Sciences, 276
Louisiana College, 119

Louisiana Polytechnic Institute, 119
Louisiana State University, 119
Louisville, University of, 118
Lowell, State College at, 278
Lowell Technological Institute, 129
Loyola College, 125
Loyola University (Ill), 93
Loyola University (La), 120
Loyola University of Los Angeles, 59
Luther College, 277
Lycoming College, 280
Lynchburg College, 281
Lyndon Teachers College, 281

Macalester College, 278
Mac Murray College, (Ill), 276
Madison College (Tenn), 281
Madison College (Va), 282
Maine, University of, 122
Manchester College, 277
Manhattan College, 181
Manhattanville College of the Sacred Heart, 279
Mankato State College, 278
Mansfield State College, 280
Marian College, 277
Marietta College, 208
Marion College, 277
Marist College, 279
Maritime College (under State University of New York), 191
Marlboro College, 281
Marquette University, 272
Marshall University, 270
Mary Baldwin College, 282
Marygrove College, 137
Maryknoll Teachers College, 279
Maryland, University of, 125
Marylhurst College, 280
Mary Manse College, 280
Marymount College (Kan), 277
Marymount College (NY), 279
Maryville College, 281
Marywood College, 280
Massachusetts College of Optometry, 278
Massachusetts College of Pharmacy, 278
Massachusetts Institute of Technology, 130
Massachusetts Maritime Academy, 278
Massachusetts, University of, 135
McMurry College (Tex), 281
McNeese State College, 277
McPherson College, 277
Medical College of Georgia, 88
Medical College of South Carolina, 243
Medical College of Virginia, 260
Meharry Medical College, 247
Memphis State University, 281
Mercer University, 276
Mercyhurst College, 280
Meredith College, 279
Merrimack College, 278
Messiah College, 280
Miami University, 208
Miami, University of, 85
Michigan College of Mining and Technology, 138
Michigan State University, 139
Michigan, University of, 140
Microbiology, Institute of (under Rutgers, The State University), 164
Middlebury College, 258
Middle Tennessee State College, 281
Midland College, 279
Midwestern University, 281
Millersville State College, 280
Milligan College, 281
Millikin University, 276
Mills College, 276
Mills College of Education, 279
Millsaps College, 145
Milton College, 282
Milwaukee School of Engineering, 273
Milwaukee Downer College, 282
Minnesota, University of, 144
Minot State Teachers College, 280
Misericordia College, 280
Mississippi College, 278
Mississippi Southern College, 278
Mississippi State College for Women, 145
Mississippi State University, 145
Mississippi, University of, 147
Mississippi Vocational College, 278
Missouri, University of, 150
Missouri Valley College, 278
Molloy Catholic College for Women, 279
Monmouth College (Ill), 94
Monmouth College (NJ), 279
Montana School of Mines, 153
Montana State College, 153
Montana State University, 155
Montclair State College, 279
Moore Institute of Art, Science and Industry, 280
Moorhead State College, 278
Moravian College, 280
Morehead State College, 277
Morehouse College, 276
Morgan State College, 278
Morris College, 281
Morris Harvey College, 282
Morningside College, 277
Mount Angel College, 280
Mount Holyoke College, 278
Mount Mary College, 282
Mount Mercy College (Iowa), 277
Mount Mercy College (Pa), 280
Mount Saint Agnes College, 278
Mount St. Mary's College (Calif), 276
Mount St. Mary's College (Md), 278
Mount St. Scholastica College, 277
Mount St. Vincent, College of, 279
Mount Union College, 280
Muhlenberg College, 234
Mundelein College, 277

Murray State College, 277
Muskingum College, 208

Nasson College, 277
Nazareth College (Ky), 277
Nazareth College (NY), 279
Nebraska, University of, 156
Nebraska Wesleyan University, 279
Nevada, University of, 157
Newark College of Engineering, 159
Newark State College, 279
New Bedford Institute of Technology, 132
Newberry College, 281
New England College, 279
New Hampshire, University of, 157
New Haven College, 276
New Mexico Highlands University, 168
New Mexico Institute of Mining and Technology, 168
New Mexico State University, 169
New Mexico, University of, 171
New Mexico Western College, 279
New York Institute of Technology, 182
New York Medical College, 182
New York, State University of, 191
New York University, 183
Niagara University, 185
North Adams, State College at, 278
North Carolina College at Durham, 280
North Carolina State College of Agriculture and Engineering (under University of North Carolina), 199
North Carolina, University of, 199
North Central College, 277
North Dakota State University, 202
North Dakota, University of, 203
Northeast Missouri State Teachers College, 278
Northeastern State College, 280
Northeastern University, 132
Northern Illinois University, 277
Northern Michigan College, 278
Northern Montana College, 155
Northern State Teachers College, 281
North Georgia College, 276
North Park College, 277
Northrop Institute of Technology, 61
North Texas State University, 250
Northwestern State College, 280
Northwestern State College of Louisiana, 277
Northwestern University, 94
Northwest Missouri State College, 278
Northwest Nazarene College, 276
Norwich University, 258
Notre Dame College, 280
Notre Dame of Maryland, College of, 278
Notre Dame, University of, 104

Oberlin College, 280
Occidental College, 61
Oglethorpe University, 276
Ohio College of Chiropody, 280
Ohio Northern University, 208
Ohio State University, 208
Ohio University, 209
Ohio Wesleyan University, 210
Oklahoma Baptist University, 280
Oklahoma City University, 280
Oklahoma College for Women, 280
Oklahoma State University, 218
Oklahoma, University of, 221
Old Dominion College, 282
Olivet Nazarene College, 277
Omaha, Municipal University of, 279
Oregon College of Education, 224
Oregon State University, 224
Oregon, University of, 225
Oshkosh, Wisconsin State College, 282
Ottawa University, 277
Otterbein College, 280
Ouachita Baptist College, 275
Ozarks, College of the, 54

Pace College, 279
Pacific Lutheran University, 266
Pacific Union College, 276
Pacific University, 280
Pacific, University of the, 65
Pan American College, 281
Panhandle Agricultural and Mechanical College, 280
Paper Chemistry, Institute of, 272
Park College, 278
Parsons College, 109
Pasadena College, 61
Paterson State College, 279
Pennsylvania State College of Optometry, 280
Pennsylvania State University, 234
Pennsylvania, University of, 236
Pfeiffer College, 280
Philadelphia College of Osteopathy, 280
Philadelphia College of Pharmacy and Science, 235
Philadelphia College of Textiles and Science, 235
Philander Smith College, 275
Phillips University, 280
Pikesville College, 277
Pittsburgh, University of, 237
Plymouth Teachers College, 279
Pomona College, 276
Portland State College, 224
Portland, University of, 227
Prairie View Agricultural and Mechanical College (under Texas Agricultural and Mechanical College System), 250
Pratt Institute, 188
Presbyterian College, 281
Princeton University, 161
Principia College, 95
Providence College, 240
Puerto Rico, University of, 238
Puget Sound, University of, 266
Purdue University, 102

Queens College, 188
Quincy College, 96
Quinnipiac College, 276

Radcliffe College, 134
Randolph-Macon College, 261
Randolph-Macon Woman's College, 282
Redlands, University of, 276
Reed College, 225
Regis College, 276
Rensselaer Polytechnic Institute, 188
Rhode Island College, 281
Rhode Island School of Design, 281
Rhode Island, University of, 240
Rice University, 250
Richmond Professional Institute, 282
Richmond, University of, 282
Rider College, 279
Ripon College, 282
Rivier College, 279
Roanoke College, 282
Rochester Institute of Technology, 190
Rochester, University of, 197
Rockefeller Institute, The, 190
Rockford College, 277
Rockhurst College, 278
Rollins College, 83
Roosevelt University, 277
Rosary College, 277
Rosary Hill College, 279
Rose Polytechnic Institute, 104
Russell Sage College, 279
Rutgers, The State University, 164

Sacramento State College, 276
Sacred Heart College, 277
St. Andrew's Presbyterian College, 280
St. Anselm's College, 279
St. Benedict College, 277
St. Benedict's College, 277
St. Bonaventure University, 190
St. Catherine, College of, 278
St. Cloud State College, 278
Saint Francis College (Ind), 277
St. Francis College (NY), 279
St. Francis College (Pa), 280
St. Francis, College of, 276
St. John College of Cleveland, 280
St. John Fisher College, 190
St. John's College, 278
St. John's University (Minn), 278
St. John's University (NY), 191
Saint Joseph College (Conn), 276
St. Joseph College (Md), 278
St. Joseph's College (Ind), 104
St. Joseph's College (Me), 277
St. Joseph's College (Pa), 280
St. Joseph's College for Women, 279
St. Lawrence University, 279
St. Louis College of Pharmacy and Allied Sciences, 278
Saint Louis University, 148
Saint Mary College, 277
St. Mary-of-the-Springs, College of, 280
St. Mary-of-the-Woods College, 277
St. Mary's College (Calif), 276
St. Mary's College (Ind), 277
St. Mary's College (Minn), 278
St. Mary's University, 278
St. Mary's University of San Antonio, 281
St. Michael's College, 281
St. Norbert College, 282
St. Olaf College, 141
St. Peter's College, 279
St. Procopius College, 277
Saint Rose, College of, 279
St. Thomas Aquinas College, 279
St. Thomas, College of, 278
St. Vincent College, 280
St. Xavier College, 277
Salem College (NC), 280
Salem College (W Va), 270
Salem, State College at, 278
Sam Houston State Teachers College, 281
San Diego College for Women, 276
San Diego State College, 276
San Diego, University of, 276
San Fernando Valley State College, 276
San Francisco State College, 276
San Francisco, University of, 65
San Jose State College, 276
San Luis Rey College, 276
Santa Clara, University of, 276
Sarah Lawrence College, 279
Savannah State College, 276
Scranton, University of, 280
Scripps College, 276
Seattle Pacific College, 266
Seattle University, 266
Seton Hall University, 167
Seton Hill College, 280
Shaw University, 199
Shepherd College, 282
Shippensburg State College, 280
Siena College, 191
Simmons College, 278
Simpson College, 277
Sioux Falls College, 281
Skidmore College, 279
Slippery Rock State College, 280
Smith College, 278
Snow College (under Utah State University), 256
South Carolina State College, 281
South Carolina, University of, 243
South Dakota School of Mines and Technology, 244
South Dakota State College, 245
South Dakota, State University of, 245
South, University of the, 281
Southeastern Louisiana College, 277
Southeastern State College, 221
Southeast Missouri State College, 278

Southern California, University of, 65
Southern College of Optometry, 281
Southern Connecticut State College, 73
Southern Illinois University, 96
Southern Methodist University, 281
Southern Missionary College, 281
Southern Oregon College, 225
Southern State College, 275
Southern State Teachers College, 281
Southern University, 120
Southern Utah, College of (under Utah State University), 256
South Florida, University of, 86
Southwest Missouri State College, 278
Southwestern at Memphis, 248
Southwestern Louisiana, University of, 121
Southwestern Medical School (under University of Texas), 254
Southwestern State College, 280
Southwestern University, 281
Southwest Texas State College, 281
Springfield College, 134
Spring Hill College, 49
Stanford University, 61
Stetson University, 84
Steubenville, College of, 280
Stephen F. Austin State College, 281
Stevens Institute of Technology, 167
Stevens Point, Wisconsin State College, 282
Stillman College, 275
Stonehill College, 278
Stout State College, 282
Suffolk University, 278
Sul Ross State College, 281
Superior, Wisconsin State College, 282
Susquehanna University, 280
Swarthmore College, 280
Sweet Briar College, 282
Syracuse University, 193

Tampa, University of, 276
Tarkio College, 278
Tarleton State College (under Texas Agricultural and Mechanical College System), 250
Taylor University, 277
Temple University, 236
Tennessee Agricultural and Industrial State University, 281
Tennessee, University of, 248
Texas Agricultural and Mechanical College System, 250
Texas Christian University, 252
Texas College, 281
Texas College of Arts and Industries, 252
Texas Lutheran College, 253
Texas Southern University, 281
Texas Technological College, 253
Texas, University of, 254
Texas Wesleyan College, 254
Texas Western College (under University of Texas), 254
Textile Technology, Institute of, 260
Thiel College, 280
Tift College, 276
Toledo, University of, 214
Towson, State Teachers College at, 278
Transylvania College, 277
Trenton State College, 279
Trinity College (Conn), 276
Trinity College (DC), 276
Trinity University, 281
Tri-State College, 277
Troy State College, 275
Tufts University, 134
Tulane University, 121
Tulsa, University of, 221
Tuskegee Institute, 49
Tusculum College, 281

Union College (Ky), 277
Union College (Neb), 279
Union College (NY), 196
Union University, 281
Upland College, 276
Upper Iowa University, 277
Upsala College, 279
Upstate Medical Center (under State University of New York), 191
Ursinus College, 280
Ursuline College, 277
Utah State University, 256
Utah, University of, 255

Valparaiso University, 106
Vanderbilt University, 248
Vassar College, 279
Vermont, University of, 259
Villa Madonna College, 277
Villanova University, 280
Virginia Military Institute, 282
Virginia Polytechnic Institute 265
Virginia State College, 282
Virginia Union University, 282
Virginia, University of, 261
Viterbo College, 282

Wabash College, 277
Wagner College, 279
Wake Forest College, 202
Walla Walla College, 268
Wartburg College, 112
Washburn University of Topeka, 277
Washington College, 278
Washington and Jefferson College, 280
Washington and Lee University, 282
Washington School of Psychiatry, 276
Washington State University, 268
Washington University, 152
Washington, University of, 267
Wayland Baptist College, 281
Wayne, Nebraska State Teachers College, 279
Wayne State University, 141

Waynesburg College, 280
Webb Institute of Naval Architecture, 279
Wellesley College, 278
Wells College, 198
Wesleyan College, 276
Wesleyan University, 76
West Chester State College, 280
Western Carolina College, 280
Western College for Women, 280
Western Illinois University, 99
Western Kentucky State College, 277
Western Maryland College, 278
Western Michigan University, 141
Western Montana College of Education, 279
Western New England College, 278
Western Reserve University, 215
Western State College of Colorado, 276
West Liberty State College, 282
Westmar College, 277
Westminster College (Mo), 278
Westminster College (Pa), 238
Westminster College (Utah), 281
Westmont College, 276
West Texas State College, 281
West Virginia Institute of Technology, 282
West Virginia State College, 270
West Virginia University, 270
West Virginia Wesleyan College, 282
Wheaton College, 277
Whitewater, Wisconsin State College, 282
Whitman College, 282
Whittier College, 276
Whitworth College, 269
Wichita, University of, 115
Willamette University, 280
Wiley College, 281
William and Mary, College of, 260
William Jewell College, 278
William Penn College, 277
Williams College, 135
Wilkes College, 280
Wilmington College, 280
Wilson College, 280
Winona State College, 145
Winthrop College, 281
Wisconsin State College and Institute of Technology, 282
Wisconsin, University of, 273
Wittenberg University, 214
Wofford College, 243
Woman's College (under University of North Carolina), 199
Woman's Medical College of Pennsylvania, 238
Woodbury College, 276
Woods Hole Oceanographic Institution, 135
Wooster, College of, 205
Worcester Polytechnic Institute, 136
Worcester, State College at, 278
Wyoming, University of, 273

Xavier University (La), 121
Xavier University (Ohio), 217

Yale University, 77
Yankton College, 281
Yeshiva University, 198
Youngstown University, 218

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